



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Compendium of Unimplemented Recommendations as of September 30, 2012

Report No. 13-N-0035

October 31, 2012



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Abbreviations

BOSC	Board of Scientific Counselors
DARTER	Data on Aquatic Resources Tracking for Effective Regulation
DWSRF	Drinking Water State Revolving Fund
EDSP	Endocrine Disruptor Screening Program
EPA	Environmental Protection Agency
FRP	Facility Response Plan
FY	Fiscal year
GDA	Georgia Department of Agriculture
GEPD	Georgia Environmental Protection Division
ICIS	Integrated Compliance Information System
InSURE	Information Security Unified Risk Environment
MATS	Management Audit Tracking System
NCP	National Contingency Plan
NPDES	National Pollutant Discharge Elimination System
OA	Office of the Administrator
OAR	Office of Air and Radiation
OARM	Office of Administration and Resources Management
OCFO	Office of the Chief Financial Officer
OCSP	Office of Chemical Safety and Pollution Prevention
OECA	Office of Enforcement and Compliance Assurance
OEI	Office of Environmental Information
OEM	Office of Emergency Management
OGWDW	Office of Ground Water and Drinking Water
OIG	Office of Inspector General
OMB	Office of Management and Budget
ORD	Office of Research and Development
OSWER	Office of Solid Waste and Emergency Response
OW	Office of Water
SPCC	Spill Prevention, Control, and Countermeasure

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

THE INSPECTOR GENERAL

October 31, 2012

MEMORANDUM

SUBJECT: Compendium of Unimplemented Recommendations as of September 30, 2012
Report No. 13-N-0035

FROM: Arthur A. Elkins, Jr.

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

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

Attached is the semiannual *Compendium of Unimplemented Recommendations as of September 30, 2012*, prepared by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). This Compendium fulfills the requirement of the Inspector General Act of 1978, as amended, to prepare semiannual reports summarizing the activities of the OIG that include an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. This report contains significant recommendations with corrective actions that are past the planned completion date and those with corrective actions that have future planned completion dates. Corrective actions are being reported as past due if they have not been completed within 1 year of the original planned date or the extended plan date established by September 30, 2011.

This Compendium is issued in conjunction with the *Semiannual Report to Congress April 1, 2012–September 30, 2012* and as a separate report to EPA leadership. It is part of the OIG's follow-up strategy to promote robust internal controls. Follow-up is done in collaboration with the EPA Office of the Chief Financial Officer and EPA audit follow-up coordinators. The goal is to improve overall audit management by increasing EPA managers' awareness of outstanding agreed-to commitments for action on OIG report recommendations. Implementing these recommendations will correct weaknesses, reduce vulnerabilities to risk, and leverage opportunities for improved performance.

The significance of audit follow-up, as described by the Office of Management and Budget (OMB) Circular A-50, is enhanced by the public's expectation for greater transparency and a heightened interest by Congress in realizing potential opportunities for improvement in the

federal government. The OIG's previous Compendium reports appear to be increasing Agency awareness of and action on unimplemented OIG recommendations.

The unimplemented recommendations listed in this Compendium were selected based on their significance and their status in EPA's Management Audit Tracking System. In addition, some unimplemented recommendations were identified through review by the OIG.

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

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Introduction

Purpose

Section 5(a) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), requires each Inspector General to issue semiannual reports to Congress and include “an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed.” The Office of Inspector General (OIG) prepares the Compendium of Unimplemented Recommendations (Compendium) to satisfy this requirement. The Compendium highlights for U.S. Environmental Protection Agency (EPA) management those significant recommendations that are unimplemented past the date agreed upon by EPA and the OIG. It also provides a listing of all of the other significant recommendations with future completion dates. This Compendium is being issued in conjunction with the OIG Semiannual Report to Congress for the reporting period April 1, 2012, through September 30, 2012. The Compendium helps Agency management stay informed about EPA’s outstanding commitments, and its progress in taking agreed-upon corrective actions on OIG recommendations to improve programs and operations.

Background

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

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

The Office of the Administrator, Chief Financial Officer, General Counsel, and each Assistant Administrator and Regional Administrator designate an Audit Follow-Up Coordinator for their respective office. Audit Follow-Up Coordinators are responsible for quality assurance and analysis of data in the tracking system. When all corrective actions in response to recommendations in an audit report are completed and certified, the Agency may inactivate that report’s MATS file, and it is no longer tracked by the Audit Follow-Up Coordinator. The Agency self certifies that corrective actions are completed. Section 5(b)(4) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), also requires the Agency to report audit

reports for which final corrective action has not been taken 1 year or more after the Agency's management decision (agreement with the OIG on planned corrective actions).

This Compendium identifies nine past due unimplemented recommendations from four reports, compared with seven past due unimplemented recommendations from three reports identified for the period ending March 31, 2012. Of the nine unimplemented recommendations reported as past due, four were included in the previous Compendium and five are newly identified. We removed three unimplemented recommendations from one report that were included in the previous Compendium. We did not verify that the unimplemented recommendations that were removed had been implemented, but rather the Agency had reported them as being completed in MATS.

Scope and Methodology

The work performed in this review does not constitute an audit conducted in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States. Although MATS was our primary source for identifying unimplemented recommendations, we did perform additional steps to search for unimplemented recommendations that may not have been identified in MATS. We analyzed the MATS data in the system as of October 3, 2012.

We reviewed selected audit and evaluation reports issued by the EPA OIG from October 1, 2001, through March 31, 2012, to identify significant unimplemented recommendations for inclusion in the Compendium. However, we did not identify any significant unimplemented recommendations from fiscal years (FYs) 2002, 2003, and 2004. We did not review recommendations from reports without an OIG agreement on the Agency's corrective action plan (management decision). A list of the reports without a management decision can be found in appendix 2 of the OIG Semiannual Report to Congress.

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

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

The Compendium consists of two sections: (1) unimplemented recommendations that are past the agreed-to completion dates, and (2) unimplemented recommendations with future planned completion dates. The OIG considers a recommendation past due if the associated corrective

action was not been completed within 1 year of the original agreed-to date or the extended date established by September 30, 2011.

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

- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of the Chief Financial Officer (OCFO)

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

- Office of the Administrator (OA)
- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of Chemical Safety and Pollution Prevention (OCSPP)
- Office of the Chief Financial Officer (OCFO)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of Research and Development (ORD)
- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)
- Region 2
- Region 3
- Region 4
- Region 8
- Region 9
- Region 10

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

Part One: Unimplemented Recommendations With Past Due Completion Dates

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

Report Summary

The OIG rendered an unqualified opinion on EPA's Consolidated Financial Statements for Fiscal Years (FY) 2009 and 2008 (restated), meaning that they were fairly presented and free of material misstatement. The OIG noted the following three material weaknesses:

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

The OIG also noted the following eight significant deficiencies:

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

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

Unimplemented Recommendations

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

Status: The Office of Financial Management's Financial Policy and Planning staff and Office of Technology Solutions (with Applications Management Staff) planned to take action to develop and implement a procedure, linked to OEI's System Life Cycle Management procedures, by September 30, 2010, that ensures all new financial

management systems and those undergoing upgrades include a system requirement that the fielded system include an automated control to enforce separation of duties. Since that time, OCFO has made significant strides to complete corrective actions associated with the segregation of duties issue noted during the FY 2009 financial statement audit. The Agency has implemented a segregation of duties policy, and detective system controls do exist. However, EPA has not implemented automated separation of duties controls throughout the entire Compass financial management system to enforce separation of duties. OCFO has not provided a new planned completion date to implement these automated controls across the entire Compass financial management system.

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

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

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

Report Summary

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

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

Unimplemented Recommendations

Recommendation 2a: We recommend that the Assistant Administrator for OARM establish and implement Agency policy for all EPA employees that clearly articulates the process and procedures for changing an employee's duty station to a location geographically separate from the position of record.

Status: OARM has been working to address the official worksite designation issue for situations where employees' are assigned to geographically separate locations. As OARM anticipated, it has taken time to build the considerable cross program and regional support that it believes is needed to effectively implement the final policy. The planned completion date was June 20, 2011.

OARM informed the OIG that it continues to aggressively coordinate across the Agency's program and regional offices to develop and finalize the telework policy that formalizes procedures for changing an employee's duty station to a location geographically separate from the position of record. OARM expects to complete the final telework policy by December 31, 2012. This includes a directive clearance review process and the agency negotiation process with the unions. The agency continues to be in the negotiation process with the unions. OARM indicated that this corrective action is still on target for completion by December 31, 2012.

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

Report Summary

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

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Acting Assistant Administrator for the Office of Air and Radiation, in conjunction with the Office of Administration and Resources Management, maintain current incentives in the new Radiation Ambient Monitoring System contract and seek opportunities to expand these and include disincentives in future contracts of this type. When appropriate, obtain reasonable equitable adjustments to the contract as a remedy for subpar contractor performance.

Status: In OAR, the Contracting Officer's Representative is evaluating contractor performance on a monthly basis for potential subpar performance by methods described in 2-2. If subpar performance is identified, the Contracting Officer will seek reasonable equitable adjustment to the contract as a remedy. OAR originally agreed to complete this action by January 30, 2009. OAR continues its efforts to require that all Radiation Network contracts include incentives/disincentives and to require monthly progress reports for follow-on contracts.

Recommendation 2-2: We recommend that the Acting Assistant Administrator for the Office of Air and Radiation, in conjunction with the Office of Administration and Resources Management, use the monthly progress reports to monitor actual contractor performance against stated goals.

Status: In OAR, the Contracting Officer's Representative is receiving monthly progress reports with clear description of contracted and actual delivery dates. The Contracting Officer's Representative is conducting weekly scheduled telephone meetings and will

discuss any discrepancies between actual performance and stated goals with the contractor. These discrepancies will be reported to the Contracting Officer. OAR originally agreed to complete this action by January 30, 2009. OAR continues its efforts to require that all Radiation Network contracts include incentives/disincentives and to require monthly progress reports for follow-on contracts.

Recommendation 2-3: We recommend that the Acting Assistant Administrator for the Office of Air and Radiation, in conjunction with the Office of Administration and Resources Management, require the Contracting Officer and Contracting Officer's Representative to formally evaluate the contractor's performance on an annual basis and enter past performance information into the National Institutes of Health's Contractor Performance System under the expired and current contract.

Status: OAR completed the contractor performance evaluation for an expired contract and delivery order and submitted it to the Contracting Officer on April 24, 2008 for entry into National Institutes of Health's Contractor Performance System. Contractor performance evaluation for another contract and its first delivery order was in progress, and OAR planned to submit it to the Contracting Officer for entry into National Institutes of Health's system by January 30, 2009. OAR continues its efforts to require the Contracting Officer and Contracting Officer's Representative to formally evaluate the Radiation Network contractors' performance on an annual basis and enter information into Past Performance Information Retrieval System through Contractor Performance Assessment Reporting System.

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

Status: In EPA's April 23, 2009 response to the final OIG audit report, OARM was designated as the action official for the implementation for this recommendation. The completion of the Office of Radiation and Indoor Air's Radiation and Indoor Environments laboratory in Las Vegas has been placed on hold. This is due to a longer-range effort to construct a combined facility for all EPA programs in Las Vegas, including ORD's and the Office of Radiation and Indoor Air's laboratories. The Facilities Management and Services Division within OARM's Office of Administration has the responsibility for the completion of this action. Due to a decrease in current funding, the Financial Management and Services Division is awaiting a budget decision from OMB during December 2012. OARM's planned milestone date for the completion of construction on the new lab is April 30, 2015. The original agreed-to completion date was June 30, 2011.

Action Office: OAR
Report Title: Evaluation of Clean Air Act Title V Operation Permit Quality
Report No.: 2005-P-00010
Date Issued: 03/09/2005

Report Summary

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

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

Unimplemented Recommendations

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

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

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

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

Part Two: Unimplemented Recommendations with Future Planned Completion Dates

Action Office: OECA
Report Title: Early Warning Report: Use of Contractors to Conduct Clean Air Act Risk Management Program Inspections in Certain States Goes Against Court Decisions
Report No.: 12-P-0376
Date Issued: 03/28/2012

Recommendations

Recommendation 1: EPA should immediately review the legality and appropriateness of its practice of using contractors to perform Clean Air Act risk management program inspections in the states covered by the Sixth and Tenth Circuit Courts (Colorado, Kansas, Kentucky, Michigan, New Mexico, Ohio, Oklahoma, Tennessee, Utah, and Wyoming). This review should also determine whether contractors are used to conduct other Clean Air Act program inspections in states covered by the Sixth and Tenth Circuit Courts. If needed based on the results of its review, EPA should take immediate action to eliminate or revise its use of contractors to conduct risk management program inspections. EPA should also update and reissue its policy memo on the use of contractors to perform Clean Air Act inspections.

Planned Corrective Action 1-1: Assess any potential legal implications of 112(r) contractor inspections and Clean Air Act inspections/evaluations in affected states.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action 2-1: Obtain and provide summary information on contractor 112(r) inspections and Clean Air Act inspections/evaluations in affected states.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action 4-1: As necessary, revise and reissue related policy and guidance memoranda.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 4-2: Finalize guidance for issuing federal credentials to contractors and related revisions to EPA Order 3510.

Agreed-to Completion Date: December 31, 2012

Action Office: OARM and OECA
Report Title: Improvement Required to Safeguard Enforcement and Inspection Credentials
Report No.: 12-P-0328
Date Issued: 03/09/2012

Recommendations

Recommendation 1: We recommend that the Assistant Administrators for Office of Administration and Resource Management and Office of Enforcement and Compliance Assurance comply with the internal controls of EPA Order 3510 to ensure credential safeguards, including collection of the credential holder signature, and revise the order to include the following provisions:

- a. Require EPA employees to report credential loss/theft within 72 hours;
- b. Require that requesting officials provide their printed title and contact information on the request for credential form;
- c. Specify the level of management required to approve a request for credential.

Planned Corrective Action 1: OARM and OECA will work together to develop and add appropriate language to EPA Order 3510 which requires EPA employees to report lost or stolen credentials.

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

Planned Corrective Action 2: OARM and OECA will develop language to EPA Order 3510, which requires the signature, title, and contact information of the requesting official.

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

Planned Corrective Action 3: OARM and OECA will add language, which specifies the management level required to approve a credential request for EPA employees.

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

Action Office: OARM
Report Title: Polices Needed for Proper Use and Management of Cost-Reimbursement Contracts Based on Duncan Hunter Act
Report No.: 12-P-0320
Date Issued: 03/06/2012

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Administration and Resource Management develop a policy for Contracting Officers that provides guidance on preparing written acquisition plans that comply with the Federal Acquisition Regulation revisions resulting from the interim rule (Federal Acquisition Regulation Case 2008-030).

Planned Corrective Actions: The Agency will issue an Interim Policy Notice updating the references to the Contracts Management Manual for acquisition planning.

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

Recommendation 2: We recommend that the Assistant Administrator for Administration and Resource Management update the procurement initiation notice as contained in the Contracts Management Manual to include, as an attachment, a copy of the Contracting Officer's Representative appointment memorandum.

Planned Corrective Actions: Office of Acquisition Management concurs with this recommendation. EPA's Acquisition System allows COR nominations to be accomplished electronically in the requisition document. OAM will publish an Interim Policy Notice requiring program and technical staff to nominate prospective COR's in EPA Acquisition System requisition documents.

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

Recommendation 3: We recommend that the Assistant Administrator for the Office of Acquisition Management direct Contracting Officers to verify that nomination forms and appointment memorandums are included in contracting files for all current contracts.

Planned Corrective Actions: The above-described Interim Policy Notice will require the Nomination of the Contracting Officer's Representative form be included in the official contract file in accordance with Federal Acquisition Regulation 4.803(a)(33).

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

Action Office: OARM and OCFO
Report Title: EPA Can Improve Its Improper Payments Reporting Compendium
Report No.: 12-P-0311
Date Issued: 03/01/2012

Recommendations

Recommendation 2: We recommend that the Chief Financial Officer and the Assistant Administrator for Administration and Resources Management continue to track in the Management Audit Tracking System the recommendation in OIG report number 11-P-0362—to include in the Agency Financial Report all improper payments identified through EPA reviews and OIG financial and single audits—until the corrective actions are completed.

Planned Corrective Actions: OCFO re-opened corrective actions 1.2 and 1.3 from OIG Report No. 11-P-0362. Recommendations will remain open until the corrective actions are completed. Questioned costs determined to be improper payments that are identified through OIG audits and state Single Audit reports will be reported in the 2012 Agency Financial Report.

Agreed-to Completion Date: November 15, 2012

Action Office: OARM
Report Title: Agreed-Upon Procedures Applied to Equipment Rate Proposals Submitted Under EPA Contract EP-S9-11-01 by SFS Chemical Safety, Inc.
Report No.: 12-4-0295
Date Issued: 02/27/2012

Recommendations

Recommendation 1: We recommend that the Manager, Financial Analysis and Oversight Service Center, Office of Acquisition Management, Office of Administration and Resources Management to not utilize the equipment rates proposed by the contractor for billings or for negotiating option period prices.

Planned Corrective Action 1: The Office of Acquisition Management will modify the contract to utilize the audited monthly equipment rates for the option period pricing.

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

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

Recommendations

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

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

Agreed-to Completion Date: August 1, 2013

Action Office: OSWER and OECA
Report Title: EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program
Report No.: 12-P-0253
Date Issued: 02/16/2012

Recommendations

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

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

Planned Corrective Action 2: OSWER is leading an effort to develop a risk-based inspection strategy for SPCC and FRP facilities.

Agreed-to Completion Date: March 1, 2013

Planned Corrective Action 3(a): OSWER will develop and update outreach materials and guidance. It is working to update the *SPCC Guidance for Regional Inspectors* issued in 2005 to include SPCC regulatory amendments in 2006, 2008, 2009, and 2011.

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

Planned Corrective Action 3(b): OECA will issue a memorandum to the Regional offices reiterating the importance of consistently interpreting SPCC/ FRP regulations and EPA's authority to enforce such regulations.

Agreed-to Completion Date: December 31, 2012

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

Agreed-to Completion Date: October 31, 2013

Planned Corrective Action 4(c): The model developed by OSWER for the SPCC program will then be used to develop a review protocol for FRPs to examine FRP inspections conducted during the FY 2013 inspection cycle.

Agreed-to Completion Date: September 30, 2013

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

Agreed-to Completion Date: October 31, 2014

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, in consultation with the Assistant Administrator for Enforcement and Compliance Assurance, in support of improving oversight, establish a national oil program database that:

- a. Contains a detailed history of compliance and inspections for facilities subject to the SPCC Rule.
- b. Uses comprehensive deficiency and/or compliance codes specifying why a facility was not in full compliance in order to identify and track national trends.
- c. Ensures consistent data entry across all 10 EPA regions.
- d. Exchanges data seamlessly with the Agency's existing compliance and enforcement databases.

Planned Corrective Action 2: OSWER will complete an evaluation of options to track SPCC and FRP specific deficiencies using standardized drop-down menus and will implement based on resource availability.

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

Action Office: OW
Report Title: EPA Should Strengthen Records Management on Clean Water Act Section 404 Permit Notification Review
Report No.: 12-P-0249
Date Issued: 02/02/2012

Recommendations

Recommendation 2: We recommend that the Assistant Administrator for Water coordinate with the regions to develop a full implementation plan for Data on Aquatic Resources Tracking for Effective Regulation (DARTER) identifying when DARTER will incorporate additional permit actions (e.g., nationwide permits, jurisdictional determinations).

Planned Corrective Actions: In January 2010, the Office of Water's Wetlands Division and all Regional Offices agreed to an expected level of data entry in DARTER to include public notices and significant coordination events for standard permits - the permitting vehicle the Corps typically uses. Currently, DARTER Version 1.12 (released 02/10/12) has the ability to track any coordination events or relevant files for all types of 404 project reviews, including general permits, mitigation projects, or draft jurisdictional determinations. While Regional staff can choose to add this information, these elements are not required under the current DARTER user agreement with the Regions. Because these activities constitute only a small part of the EPA actions under Section 404, they were not considered the most essential data elements to track in the early stages of DARTER implementation. The Office of Water is focusing in FY 2012 on ensuring that all Regions complete the basic DARTER data entry as agreed to in January 2010.

Agreed-to Completion Date: May 30, 2013

Recommendation 4: We recommend that the Assistant Administrator for Water revise Records Schedules 205 and 514 as appropriate to clarify usage/applicability and retention requirements for Clean Water Act Section 404 reviews for both headquarters and regional staff.

Planned Corrective Actions: The Office of Water, in coordination with the Regions, will adopt a national records management plan and make any necessary recommendations to the Records Management program for changes to existing records schedules to remove duplicate or misleading descriptions.

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

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

Recommendations

Recommendation 1: We recommend that the Senior Information Official, Region 10, perform a technical vulnerability assessment test of assigned network resources within 60 days to confirm completion of remediation activities.

Planned Corrective Actions: Region 10 utilized Nessus technical vulnerability assessment tool to confirm the OIG's findings and are addressing vulnerabilities found in those scans. Additional Nessus technical vulnerability scans will be performed biweekly until all identified findings are corrected or mitigated.

Agreed-to Completion Date: December 31, 2012

Recommendation 4: We recommend that the Senior Information Official, Region 10, acquire and implement an uninterruptible power supply that will automatically perform an orderly shutdown of information technology assets without manual intervention in the event of a long-term loss of power.

Planned Corrective Actions: Region 10 will complete this action-pending remodel and relocation of computer centers.

Agreed-to Completion Date: September 30, 2013

Recommendation 5: We recommend that the Senior Information Official, Region 10, move the server racks so that they are not directly under sprinkler heads or water pipes or, if that is not possible, install leak shields on or above the server racks directly under sprinkler heads or water pipes.

Planned Corrective Actions: Region 10 will complete this action-pending remodel and relocation of computer centers.

Agreed-to Completion Date: September 30, 2013

Recommendation 7: We recommend that the Senior Information Official, Region 10, develop and implement policies and procedures that address limiting water damage to information technology assets' in the computer room that include:

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

Planned Corrective Actions: Region 10 will complete this action pending remodel and relocation of computer centers.

Agreed-to Completion Date: September 30, 2013

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

Recommendations

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

Planned Corrective Actions: The Deputy Administrator assembled a team from OCSPP and OAR to review the Inspector General's documents. The team began on February 14, 2012, and is waiting for the Occupational Safety and Health Administration to review the material.

Agreed-to Completion Date: March 15, 2012 (corrective action will be considered past due as of March 15, 2013)

Recommendation 6: We recommend that the EPA notify the surrounding public of potential asbestos exposure during these Alternative Asbestos Control Method experiments.

Planned Corrective Actions: The Deputy Administrator assembled a team from the OCSPP and OAR to review the Inspector General's documents. The team began on February 14, 2012, and is waiting for the Occupational Safety and Health Administration to review the material.

Agreed-to Completion Date: March 15, 2012 (corrective action will be considered past due as of March 15, 2013)

Action Office: OW
Report Title: Enhanced Coordination Needed to Ensure Drinking Water State Revolving Funds Are Used to Help Communities Not Meeting Standards
Report No.: 12-P-0102
Date Issued: 12/01/2011

Recommendations

Recommendation 1: We recommend that the Office of Water, in the regional annual review checklist that supports the Program Evaluation Report, include an assessment of the coordination between state Drinking Water State Revolving Fund (DWSRF) and enforcement programs.

Planned Corrective Actions: Office of Ground Water and Drinking Water (OGWDW) will amend the checklist to include appropriate questions to assess the coordination between State DWSRF and enforcement programs. This amendment to the checklist will be completed by March 31, 2012. The revised checklist will be used by the Regions for their State oversight visits thereafter. Starting with OGWDW reviews of regional DWSRF programs in 2012, OGWDW will increase emphasis on assessing regional progress in working with states to enhance coordination between state DWSRF and enforcement programs.

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

Recommendation 2: We recommend that the Office of Water create a national intended use plan review checklist that includes a requirement for regions to assess how the state DWSRF programs take into consideration the needs of systems with multiple violations when developing the intended use plan and selecting projects.

Planned Corrective Actions: OGWDW will develop a national intended use plan review checklist that includes a section of questions to facilitate regional assessment of how state DWSRF programs take into consideration the needs of systems with multiple violations, including current compliance states and actions underway to address compliance, when developing the intended use plan and selecting projects. The new intended use plan checklist will be used by the regions for review of capitalization grant award packages undergoing review thereafter.

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

Recommendation 3: We recommend that the Office of Water, to help achieve the Agency's water safe to drink sub objective, identify and implement actions to enhance coordination between regional and state DWSRF and Public Water System Supervision programs.

Planned Corrective Actions: To ensure appropriate emphasis on this priority, OGWDW will amend the regional annual review checklist to include appropriate questions to assess the coordination between State DWSRF and Public Water System

Supervision programs. The revised checklist will be used by the regions for their state oversight visits thereafter. OGWDW will also continue to emphasize this priority in its oversight of regional programs.

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

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

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance require that regional and headquarters enforcement officials assist the Cincinnati Finance Center by implementing EPA's newly updated Resource Management Directive System policy, which includes the requirement to forward legal documentation within 5 business days and to designate regional contacts so that receivables are recorded timely.

Planned Corrective Actions: Office of Enforcement and Compliance Assurance will provide quarterly and annual reports to senior enforcement managers on HQ and Regional performance in meeting the FY 2012 metric for providing timely documentation of administrative penalty accounts receivable to Cincinnati Finance Center.

Agreed-to Completion Date: December 31, 2012

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

Planned Corrective Actions: OARM will ensure the revised Property Management Manual contain an updated section on contract property to address roles and responsibilities.

Agreed-to Completion Date: June 30, 2012 (corrective action will be considered past due as of June 30, 2013)¹

Recommendation 11: We recommend that the Assistant Administrator for Administration and Resources Management require the Director, Facilities Management and Services Division, to conduct planned property training and require completion of the course by all EPA managers.

Planned Corrective Actions: OARM will develop a property training course that will commence during first quarter FY 2012 and conclude during the second quarter 2012 with course completion monitored by headquarters.

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

¹ Subsequent to the end of our review period, October 3, 2012, OARM informed us that recommendation 9 had been completed prior to September 30, 2012. However, this was not reflected in MATS.

Recommendation 12: We recommend that the Assistant Administrator for Administration and Resources Management require the Director, Facilities Management and Services Division, to address the missing personal property items in accordance with Agency Procedure.

Planned Corrective Actions: OARM headquarters team will ensure missing items are marked inactive in accordance with Board recommendations during second quarter FY 2012.

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

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

Recommendations

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

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

Planned Corrective Action 1: The Tribe plans to use the Micro-Information Processing payroll computerized system with labor allocation feature.

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

Recommendation 3: We recommend that the Regional Administrator, EPA Region 9, require the tribe to update its policies and procedures to ensure that they address all accounting issues and reflect the tribe's actual accounting practices.

Planned Corrective Action 2: The Tribe will edit and update the Policies and Procedures Financial Manual.

Agreed-to Completion Date: December 31, 2012

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

Recommendations

Recommendation 4: We recommend that the Senior Information Official, Region 9, acquire and install locking computer cabinets to secure rack-based information technology assets.

Planned Corrective Actions: As Region 9 designs and moves to its new Regional Computer Room it plans to install locking computer cabinets.

Agreed-to Completion Date: March 31, 2014

Recommendation 6: We recommend that the Senior Information Official, Region 9, acquire and securely implement new video surveillance system to monitor the Region 9 computer room.

Planned Corrective Actions: As Region 9 designs and builds the new Regional Computer Room it plans to acquire and securely implement a new video surveillance system. Region 9 has consulted with the Lease Project Manager to determine if this system can be included in the Program of Requirements for the new leased space. In the meantime, it will get quotes for how much it will cost to replace the current system.

Agreed-to Completion Date: March 31, 2014

Recommendation 8: We recommend that the Senior Information Official, Region 9, acquire and implement a UPS that will automatically perform an orderly shutdown of information technology assets without manual intervention in the event of a long-term loss of power.

Planned Corrective Actions: When the region designs and builds the new Regional Computer Room, it will acquire and implement an emergency power generator and a new Uninterruptable Power Supply to improve its ability to shutdown information technology assets without manual intervention. The emergency generator will be designed in accordance with the National Fire Protection Agency 110 - Emergency and Standby Power Systems. An estimated 72-hour back-up on emergency power is required for critical equipment. This requirement is already provisioned in the Program of Requirements for the new leased space. Region 9 has asked the EPA Region 9 Lease Project Manager to inquire with the US General Services Administration if it can expedite the installation of the emergency generator.

Agreed-to Completion Date: March 31, 2014

Recommendation 10: We recommend that the Senior Information Official, Region 9, install a master shutoff valve for the water pipes that flow through the computer room.

Planned Corrective Actions: Region 9 has two shutoff valves for the water pipes that flow through the computer room. The Program of Requirements for the new leased space calls for a pre-action, dry-pipe type sprinkler system, set water flow to activate when ceiling temperature reaches 165°F. The region has asked the Lease Project Manager to include a master shut-off valve in the Program of Requirements.

Agreed-to Completion Date: March 31, 2014

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

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Research and Development establish a plan to implement the Meth Act requirements and inform Congress which requirements will not be met or will be delayed.

Planned Corrective Actions: ORD has developed a research plan to identify critical needs related to the implementation of the Meth Act requirements. Working with the Office of Congressional and Intergovernmental Relations and OSWER, ORD will provide an update on its current activities related to the meth research requirements outlined in the Meth Act. Updates will continue after completion of the research project. ORD has conducted a literature review and begun work on a high priority research project, decontamination with hydrogen peroxide that will assist OSWER in updating its guidelines.

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

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Research and Development address the following issues in the next update to the voluntary remediation guidelines:

- a. Clarification of whether meth lab waste can legally be disposed of as Household Hazardous Waste.
- b. Availability of EPA Local Governments Reimbursement funding to pay for meth lab cleanup.
- c. Information on websites containing lists of former meth lab sites.
- d. Consideration of children's health and environmental justice.

Planned Corrective Actions: OSWER will update the guidelines to consider the definition of Meth lab waste as Household Hazardous Waste, as well as update Local Governments Reimbursement for meth cleanup, any additional websites with meth lab sites, and children's health and environmental justice issues. OSWER's Office of Resource Conservation and Recovery is the lead office in redefining meth lab waste as Household Hazardous Waste, and OSWER's Office of Emergency Management will coordinate with the Office of Resource Conservation and Recovery appropriately to update this.

Agreed-to Completion Date: December 31, 2012

Recommendation 3: We recommend that the Associate Administrator for Congressional and Intergovernmental Relations and the Associate Administrator for Policy develop internal controls

to ensure that legislative requirements are identified and tracked, and that their status is reported to Congress as required.

Planned Corrective Actions: EPA continues to work on developing a system to track Reports to Congress. The Associate Administrators for the Office of Congressional and Intergovernmental Relations and Office of Policy have both assigned staff for this effort. EPA has initiated discussions about possible ways for tracking reports to Congress broadly, and is examining existing Agency tracking systems to see if any of them could be of any use in this context. The Office of Congressional and Intergovernmental Relations is the lead for this corrective action.

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

Action Office: OSWER
Report Title: EPA Should Clarify and Strengthen Its Waste Management Oversight Role With Respect to Oil Spills
Report No.: 11-P-0706
Date Issued: 09/26/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, from lessons learned in response to the Deepwater Horizon Spill of National Significance:

- a. Work with other federal partners to determine whether the National Contingency Plan and National Response Framework should be updated to include processes for waste management oversight in response to nationally significant oil spills, including EPA's role as a supporting agency in offshore spills;
- b. Work with other federal partners to complete guidance for waste management oversight in Agency Contingency Plans.
- c. Develop a model waste management plan and a waste oversight framework that includes:
 - i. provisions for including all states and facilities involved in the response;
 - ii. definition of roles and responsibilities for all authorized responders; and
 - iii. an exit strategy for decommissioning waste management oversight activities.

Planned Corrective Action 1: EPA will develop waste management oversight procedures for Agency Contingency Plans for responses to Spills of National Significance.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 2: EPA proposes to meet with the United States Coast Guard before January 31, 2012 to discuss the development of guidance on this subject for use by the Regional Response Teams in updating their Regional and Area Contingency Plans. EPA will commit to producing a draft guidance document for field testing.

Agreed-to Completion Date: January 31, 2013

Planned Corrective Action 4: Prepare final waste management plan.

Agreed-to Completion Date: June 29, 2012 (corrective action will be considered past due as of June 29, 2013)

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response update EPA's 2002 guidance on the exploration and production waste exemption to include circumstances under which exploration and production waste could be managed or disposed of differently, including during applicable oil spills. Incorporate into any lessons-learned review a discussion of EPA opinions and procedures for overseeing and handling waste from this spill, including those wastes subject to the exploration and production exemption.

Planned Corrective Actions: OSWER will prepare a memorandum to incorporate the lessons-learned from this spill discussing EPA's opinions and procedures for overseeing and handling waste, including waste subject to the exploration and production exemption during a spill of national significance.

Agreed-to Completion Date: June 29, 2012 (corrective action will be considered past due as of June 29, 2013)

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

Recommendations

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

Planned Corrective Actions: The Agency will include information on adjustment to the required separation of property roles and segregation duties in the revision of EPA's Personal Property and Procedures Manual.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 29, 2013)

Recommendation 4: We recommend the Assistant Administrator for Administration and Resources Management develop and implement a process that would ensure that property staffs adhere to records retention requirements.

Planned Corrective Action 3: The custodial officer training will address the separation of duties between the custodial officer and the employee or contractor. While acquisition methods vary, records retention is the responsibility of the custodial officer. This control measure will help ensure records accountability is maintained at the lowest level.

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

Planned Corrective Action 6: OARM will include a review of records retention documentation in a minimum of six annual field audits.

Agreed-to Completion Date: November 30, 2012

Action Office: ORD
Report Title: Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes
Report No.: 11-P-0702
Date Issued: 09/26/2011

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Research and Development revise EPA's guidance document, *A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information*, to establish minimum review and documentation requirements for assessing and accepting data from other organizations.

Planned Corrective Actions: An update to EPA's guidance document, *A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information*, will be finalized and published by the Deputy Director, Office of the Science Advisor, to include as appropriate minimum review and documentation requirements for assessing and accepting data from third party organizations.

Agreed-to Completion Date: December 31, 2012

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

Recommendations

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

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

Agreed-to Completion Date: December 31, 2018

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

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer, in coordination with the Assistant Administrator for Administration and Resources Management, ensure that the in-process revisions to *EPA Manual 2750* include:

- a. A communication strategy among audit follow-up, counsel, and grants management at the region and headquarters levels to assure entry in MATS of the status of each audit under appeal
- b. Limits on the number of times a recipient may request reconsideration of any decision of the Regional Administrator or Assistant Administrator
- c. Consistency among policies for resolving audits under appeal and inclusion of:
 - i. Time lines and milestones for each step of the resolution process
 - ii. Limits on the number of times that extensions may be granted and the number of times that the grantee may submit additional documentation
 - iii. In-house monthly review by the responsible counsel and grants management organizations of the status of the resolution of audits under appeal

Planned Corrective Action 1: The Office of Grants and Debarment, working together with the Office of General Counsel, is leading the effort to develop assistance agreement audit appeals resolution procedures for incorporation into the final revised EPA Manual 2750, "Audit Management." The procedures will address the recipient dispute resolution process and will spell out the responsibilities, required communication, and process for timely updating the status of assistance agreement audit appeals in the agency's MATS. As proposed in the recommendation, the procedures will further limit the number of time extensions and reconsideration requests available. The procedures also will prescribe a consistent coordinated review and appeals process, including the responsible EPA counsel and grants management organization.

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

Planned Corrective Action 3: To ensure full implementation of the new audit appeals resolution procedures, the Office of Grants and Debarment intends to confer with the Office of General Counsel in making corresponding amendments to the agency's regulations governing the EPA's financial assistance disputes process under 40 Code of Federal Regulations Part 30, Subpart C, and Part 31, Subpart F. The Office of Grants and Debarment anticipates that the final amendments will be issued in the Federal Register by the end of FY 2012, to coincide with the issuance of the revised Manual 2750.

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

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

Recommendations

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

Planned Corrective Actions: OCFO is working closely with EPA's air and water programs and their lead regions to refine and expand on FY 2011 pilot projects. The goal is to focus on specifics of how EPA organizations should collect and analyze workload data on key project activities. The short-term plan is to construct a draft format for an EPA workload analytic "Table Top" tool using existing data and work already done to the extent possible. The Table Top concept (used also at the U.S. Coast Guard) is designed to be fairly high-level with a standard format for incorporating data and leveraging Subject Matter Experts knowledge and experience. Concurrently, OCFO will continue to assess potential external data sources that could inform future management decision-making. OCFO created a workload analysis model for air and water permitting programs and plans to conduct analyses of grant and Superfund cost recovery.

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

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

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

Planned Corrective Actions: OCFO is revising Resource Management Directive 2520, Administrative Control of Appropriated Funds, to incorporate workload planning guidance.

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

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

Recommendations

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

Planned Corrective Actions: OARM will develop an Agency-wide system to track agency equipment in consultation with OSWER with respect to emergency response equipment.

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

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

Recommendations

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

Planned Corrective Actions: OSWER will propose regulatory revisions to the NCP's Subpart J testing requirements. The proposed rule incorporating NCP testing requirements is expected to appear in the Federal Register in summer 2012.

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

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response have the Office of Emergency Management (OEM) Director work through the office's Nation Response Team to establish a policy that calls for periodic reviews and updates to contingency plans, after considering lessons learned from major national and international oil spills, and/or based on area trends in oil drilling.

Planned Corrective Actions: The OEM Deputy Director is currently working with the Nation Response Team to develop a framework in addressing dispersants and plan reviews and updates, in light of lessons learned in the Deepwater Horizon spill.

Agreed-to-Completion Date: December 31, 2012

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

Planned Corrective Actions: OSWER will propose regulatory revisions to the Subpart J requirements for the NCP Product Schedule and contingency planning elements are underway. The revisions will address chemical agent tests (such as dispersants) using crude oil, subsurface use of dispersants, and quantity, location, and duration of chemical agent use criteria.

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

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

Planned Corrective Action 1: OSWER will look at adding language to the National Response Framework's Emergency Support Function #10 annex that will outline EPA's senior officials' likely role in a response. However, a milestone date for the Emergency Support Function #10 revision is dependent on the Federal Emergency Management Agency's plan for completing updates to the National Response Framework and its annexes under Presidential Policy Directive 8. Under Presidential Policy Directive 8, the Agency expects the Federal Emergency Management Agency to set the deadline for all Emergency Support Function coordinating agencies to update their Emergency Support Function annexes sometime during the 2012 calendar year.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 2: OSWER updated its Incident Management for Executives training, as a result of lessons learned from the Deepwater Horizon spill. The training has been presented in one region.

Agreed-to Completion Date: October 31, 2013

Planned Corrective Action 3: As a result of this training, OSWER will develop policy guidance on this issue as well.

Agreed-to Completion Date: October 31, 2013

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

Planned Corrective Actions: This issue is currently being addressed as part of the action to revise the requirements for Subpart J toxicity testing and criteria for listing dispersants on the NCP Product Schedule. When revisions to the Product Schedule requirements are complete, OEM will work on revisions to the Selection Guide and Technical Notebooks, which are made available to emergency responders, to ensure the necessary information is available for subsurface dispersant use on future oil spills.

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

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

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

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

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

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

Recommendation 8: We recommend that the Assistant Administrator for Research and Development develop a research plan to address gaps on long-term health and environmental effects of dispersants.

Planned Corrective Actions: The Office of Research and Development is developing a longer-term research strategy to address gaps specifically related to the health and environmental effects of dispersants, as well as addressing other oil spill-related research needs.

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

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

Recommendations

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

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

Planned Corrective Action 1: Region 8 agreed to amend the community engagement plan to include a summary of the community involvement program that includes key messages that address specific community concerns, general timelines, measures for success and mechanisms for indentifying community concerns and collecting feedback. Using the template in Section 4 of Attachment 1 for Community Involvement Plans (7) in the Community Involvement Toolkit, EPA will produce key messages in the community engagement plan that track with the major themes of EPA's work and describe how EPA will address citizen concerns identified in the community engagement plan.

Agreed-to Completion Date: June 30, 2013

Planned Corrective Action 6: Region 8 will seek public comment on the next major revision to the community involvement plan.

Agreed-to Completion Date: Within a year following the next Record of Decision or December 31, 2015, whichever comes first.

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

Planned Corrective Action 1: Region 8 will conduct a customer satisfaction survey after OSWER's Information Collection Request to OMB is approved. The region will arrange with the manager of the Community Involvement and Public Initiatives Branch to notify Region 8 when the approval is received.

Agreed-to Completion Date: Six months following the receipt of OMB's approval

Planned Corrective Action 2: Region 8 will conduct a special round of community interviews.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 3: Region 8 will amend the community engagement plan with actions Region 8 will take to address major concerns raised in the customer satisfaction survey, interviews, tear-offs, meeting comment cards, Information Center calls, suggestion boxes, and link on the web page. The region will continue to evaluate its communication efforts through ongoing use of tear-offs, meeting comment cards, Information Center calls, suggestion boxes, and the link on the web page.

Agreed-to Completion Date: June 30, 2013

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

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Research and Development periodically test the effectiveness of controls to address scientific integrity and research misconduct.

Planned Corrective Actions: ORD's Management Integrity Program will develop and implement a new risk assessment protocol. The risk assessment protocol is centered on program operations and facilitates the periodic testing of controls.

Agreed-to- Completion Date: December 31, 2012

Recommendation 2b: We recommend that the Assistant Administrator for Research and Development work with agency officials to identify staff and managers outside of ORD who should complete mandatory Principles of Scientific Integrity E-Training.

Planned Corrective Actions: EPA's Scientific Integrity Committee will identify the appropriate staff that should complete the mandatory Principles of Scientific Integrity E-Training.

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

Recommendation 3: We recommend that the Assistant Administrator for Research and Development continue working with the unions to update and implement the Principles of Scientific Integrity E-Training. Changes to the course should include: (1) Making the E-training mandatory for all ORD staff; (2) ensuring that the updated course contains real-life examples; and (3) creating a system for linking to current contact information for reporting instances of scientific integrity and research misconduct.

Planned Corrective Actions: EPA's Scientific Integrity Committee will continue efforts with unions to standardize, update, and implement the Principles of Scientific Integrity E-training.

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

Action Office: OCSPP
Report Title: EPA's Voluntary Chemical Evaluation Program Did Not Achieve Children's Health Protection Goals
Report No.: 11-P-0379
Date Issued: 07/21/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention design and implement a process to assess the safety of chemicals to children. Specifically, we recommend a new design that includes:

- a. A chemical selection process that identifies and includes the chemicals with the highest risk potential to children.
- b. A workable data collection strategy for applying the Toxic Substances Control Act regulatory authorities as appropriate.
- c. A communications strategy that interprets results and disseminates information to the public.
- d. Specific outcome measures that provide assurance the process will provide valid and timely results.

Planned Corrective Action 2: OCSPP will complete the Agency preparation and review of proposed rules for lead, mercury, and formaldehyde, prior to an interagency review.

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

Planned Corrective Action 7: OCSPP will receive and publish data from the recently amended Chemical Data Reporting Rule.

Agreed-to Completion Date: November 30, 2012

Planned Corrective Action 9: OCSPP will engage stakeholders on draft future testing strategy for existing chemicals.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action 14: OCSPP will publish the data resulting from Chemical Data Reporting Rule reporting, which will highlight information on chemicals used in products intended for children.

Agreed-to Completion Date: November 30, 2012

Planned Corrective Action 16: OCSPP will annually update EPA's goals and measures for EPA's enhanced existing chemicals program.

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

Action Office: OCFO
Report Title: EPA Needs to Reexamine How It Defines Its Payment Recapture Audit Program
Report No.: 11-P-0362
Date Issued: 07/19/2011

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer report the results of all activities, including audits the OIG and other audit organizations conduct, when reporting on its payment recapture audit program in 2011.

Planned Corrective Actions: Questioned costs determined to be improper payments that are identified during all post-award grant reviews will be reported by OCFO in the Agency Financial Report, including state and local governments, tribes, and universities. Questioned costs determined to be improper payments that are identified through OIG audits and state Single Audit reports will be reported in the Agency Financial Report.

Agreed-to Completion Date: November 15, 2011 (corrective actions will be considered past due as of November 15, 2012)

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

Recommendations

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

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

Agreed-to Completion Date: December 15, 2015, or until targets are reached

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

Recommendations

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

- a. Earlier resolution of technical issues and communication;
- b. Combining permitting and enforcement oversight reviews of the states;
- c. Implementing coordinated and integrated strategic planning nationwide for the National Pollutant Discharge Elimination System (NPDES) program, including consideration of the new approaches under the Clean Water Act of 1972 action plan; and
- d. Fully implementing Burden Reduction Initiatives identified during the event.

Planned Corrective Action 1: OW will host a regional discussion on progress of any regions that implement the Region 7 techniques.

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

Planned Corrective Action 2a: OW will complete a schedule for reviews of all states for the first integrated review cycle. Pilots of the integrated reviews will be conducted summer 2012, the results of which will inform regional decision-making on the schedules they will develop.

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

Planned Corrective Action 2b: OW will complete pilot integrated permitting and enforcement reviews and initiate the first cycle of integrated reviews.

Agreed-to Completion Date: October 1, 2012

Planned Corrective Action 4: OECA will propose the NPDES Electronic Reporting Rule.

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)

Recommendation 4: We recommend that the Deputy Administrator direct the Office of Policy to develop a national policy on how to plan, design, and implement business process improvement events that includes:

- a. Integration of the existing best practices identified in EPA resources, such as kits on lean, Kaizen, and value stream mapping that will address methods for overcoming common barriers to business process improvement events.
- b. Requirements on how to address barriers concerning scope, performance measures, accountability, and implementation.

Planned Corrective Actions: The Office of Policy will develop an Agency memorandum that encourages the use of business process improvements for gaining efficiency and reducing the complexity of Agency processes and provides the latest integrated guide on how to plan, design, and implement effective business-process improvement events. The guide will incorporate best practices and lessons on how to address potential barriers based on the EPA's experience and learning to date.

Agreed-to Completion Date: November 30, 2011 (corrective action will be considered past due as of November 30, 2012)

Recommendation 5: We recommend that the Deputy Administrator direct the Office of Policy to establish an overall office or steering committee for advocating and overseeing business process improvement events that involve multiple Assistant Administrators and regions.

Planned Corrective Actions: The Office of Policy will use its existing Executive Management Council to develop ideas for encouraging, supporting, and overseeing business-process-improvement activities across the Agency. Following consultation with the Executive Management Council, roles and responsibilities for implementing selected ideas will be clarified.

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)

Recommendation 6: We recommend that the Deputy Administrator direct the Office of Policy to work with other EPA offices to coordinate and carry out business process improvement events until the Office of Policy finalizes the policy developed pursuant to Recommendation 4.

Planned Corrective Actions: The Office of Policy will continue to coordinate with and assist other EPA offices and states as they plan, implement, and communicate business-process improvement events through the provision of information, tools and services, such as identifying qualified "lean" contractors and training opportunities.

Agreed-to Completion Date: Ongoing

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

Recommendations

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

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

d. Develop implementation plans to close gaps.

Agreed-to Completion Date: July 1, 2013

e. Execute implementation plans.

Agreed-to Completion Date: September 15, 2013

Action Office: Region 4
Report Title: Region 4 Should Strengthen Oversight of Georgia's Concentrated Animal Feeding Operation Program
Report No.: 11-P-0274
Date Issued: 06/23/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator, EPA Region 4, implement controls between EPA Region 4 and Georgia Environmental Protection Division (GEPD) to:

- a. Require enforcement data tracking between GEPD and Region 4;
- b. Assure Concentrated Animal Feeding Operation inspections are accurate and complete; and
- c. Assure that GEPD takes timely and appropriate enforcement actions.

Planned Corrective Action 2: To ensure accurate and complete inspections, GEPD and the Georgia Department of Agriculture (GDA) have modified their Concentrated Animal Feeding Operation inspection report checklist to include a section to compare the actual application rate specified in the Nutrient Management Plan. Furthermore, EPA will collaborate with GEPD, GDA, and the University of Georgia in expanding and enhancing the current Concentrated Animal Feeding Operation training program to train GEPD and GDA staff and inspectors. GEPD will finalize its FY 2012 contract with GDA by October 2011, which will include provisions for the enhancement of Concentrated Animal Feeding Operation training. Additionally, EPA is committed to conducting joint inspections with GEPD and GDA during FY 2012 to ensure complete and thorough inspections are performed. EPA will focus on verifying that components required by the permit and the Nutrient Management Plan are evaluated during inspections. Specifically, EPA will focus on evaluating land application records and compare manure application records to the Nutrient Management Plans. In addition, EPA will evaluate wastewater, soil, and monitoring-well analysis records. Furthermore, EPA will ensure that calibration records for application equipment and operator certification records are current. The facility's annual report is on file and monitoring-well locations are clearly specified in the Nutrient Management Plan. EPA will report the results of the efforts to ensure accurate and complete inspections to the OIG by October 31, 2012.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action 3: EPA will work with GEPD to ensure that it takes timely and appropriate enforcement actions whenever GDA documents violations. GDA has modified how it transmits inspection reports to GEPD; it will submit a scanned copy of the inspection report to the appropriate GEPD district office along with a summary of any violations to ensure violations are brought to the districts office's attention as soon as possible. EPA will monitor the formal Animal Feeding Operation/Concentrated Animal Feeding Operation enforcement actions that are reported quarterly by GEPD and evaluate the actions for timeliness and appropriateness. GEPD will submit reports to EPA 30 days

after each quarter. EPA will submit a summary of the finding of GEPD's quarterly enforcement action reports to the OIG semiannually; the first report will be submitted by May 31, 2012, and the second report will submitted by November 30, 2012.

Agreed-to Completion Date: November 30, 2012

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

Recommendations

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

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

Agreed-to Completion Date: November 12, 2013

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

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

Agreed-to Completion Date: November 12, 2013

Action Office: Region 4
Report Title: Oversight of North Carolina's Renewals of Thermal Variances
Report No.: 11-P-0221
Date Issued: 05/09/2011

Recommendations

Recommendation 1: We recommend the Regional Administrator, Region 4, enforce the management controls of the National Pollutant Discharge Eliminations System memorandum of agreement.

Planned Corrective Actions: Section IV.B.3. of EPA Region 4's Memorandum of Agreement with the North Carolina Department of Environment and Natural Resources states, "EPA may provide to the State written comments on, recommendations with respect to, or objections to the issuance of the draft permit." Region 4 will continue to implement the memorandum of agreement by providing comments on and recommendations with respect to proposed Clean Water Act Section 316(a) thermal variances.

Agreed-to Completion Date: November 27, 2011 (corrective action will be considered past due as of November 27, 2012)

Recommendation 2: We recommend the Regional Administrator, Region 4, verify that thermal variances are protective of a balanced, indigenous population.

Planned Corrective Actions: By the end of each permit's term, Region 4 will review each facility's data to determine if the receiving water body is able to maintain a balanced, indigenous population.

Agreed-to Completion Date: November 27, 2011 (corrective action will be considered past due as of November 27, 2012)

Action Office: OCSPP
Report Title: EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results
Report No.: 11-P-0215
Date Issued: 05/03/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention define and identify the universe of chemicals for screening and testing to establish the scope of the program.

Planned Corrective Actions: OCSPP will provide a characterization of the universe of chemicals for screening and testing under the Endocrine Disruptor Screening Program (EDSP) in the EDSP21 work plan. OSCPP will also provide a more detailed discussion in a short paper titled "EDSP Universe of Chemicals and General Validation Principles" which will address the following the issues: (1) The Agency's planned use of its discretionary authority to address chemicals that may have effects that are cumulative to those of pesticides under the Federal Food, Drug, and Cosmetic Act; (2) The Agency's planned use of its discretionary authorities under the Toxic Substances Control Act; and (3) Further clarification about how the numerical range of 6,000 to 9,700 chemicals in the universe was developed.

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

Recommendation 2: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop and publish a standardized methodology for objectively prioritizing the universe of chemicals for screening and testing, including elements recommended by the federal advisory committees such as use of effects and exposure data, as well as public nominations.

Planned Corrective Actions: OSCPP will develop a short paper entitled "EDSP Universe of Chemicals and General Validation Principles." This paper will describe the key principles that will be used to develop the validation framework for in silico and high throughput modeling. It will further clarify how the universe of chemicals will be prioritized, by providing additional information about the predictive models for effects and exposure that may be used to indicate that one particular chemical is a better prospect for potential endocrine-disrupting activity than another, and therefore, is likely to be subjected to Tier 1 screening earlier in the process. The paper also will provide further information about the existing public participation processes and how the public can use these processes to nominate chemicals for EDSP screening, or to suggest changes in priorities for EDSP screening.

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

Recommendation 4: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop short-term, intermediate, and long-term outcome performance measures, and additional output performance measures, with appropriate targets and timeframes, to measure the progress and results of the program.

Planned Corrective Actions: As the Agency develops its comprehensive Management Plan for the EDSP, existing performance measures will be re-evaluated with the goal of developing a set of measures that more comprehensively addresses EDSP activities across all offices and includes more outcome measures. Our initial thinking with respect to applying the guidance OIG has provided, in the context of the EDSP, is that short-term outcomes could consist of making weight-of-evidence determinations to decide whether a chemical will move on to EDSP Tier 2 testing (this is currently captured under our existing measures). Intermediate outcomes could consist of the hazard assessments that will result from Tier 2. Long-term outcomes could include a characterization of the regulatory actions that result from EDSP screening and testing, the impact of such actions on human health and the environment and other metrics.

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

Recommendation 5: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop and publish a comprehensive management plan for EDSP, including estimates of EDSP's budget requirements, priorities, goals, and key activities covering at least a 5-year period.

Planned Corrective Actions: EPA plans to develop a comprehensive Management Plan for the EDSP. The aforementioned EDSP21 Work Plan for integrating computational toxicology tools into the EDSP will be a key, initial component of the EDSP Management Plan. The EDSP Management Plan will cover at least 5 years into the future of the EDSP and will include the continued issuance of test orders, the development of a consolidated information infrastructure for the EDSP, and other aspects of the program. The Management Plan will address budget requirements for the EDSP and performance management, including performance measures and annual reviews.

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

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

Recommendations

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

Planned Corrective Actions: OAR will train project officer and grant specialists to use the form correctly to document delays. OAR will work with Regions to update milestones when delays occur.

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

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

Planned Corrective Actions: OAR will oversee the monitoring database and the status of corrective action plans. OAR will regularly collect information on the status of Recovery Act grants, including the status of baseline monitoring and progress toward completion of projects. This information will be provided to management on a regular basis, until the Recovery Act grants are completed.

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)

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

Recommendations

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

Planned Corrective Actions: OSWER plans to develop the process or evaluation hierarchy in two parts due to the complexity of evaluating unencapsulated uses. Although development of the evaluation process hierarchy may be informed by the comments on the proposed rule, its issuance is not linked to issuance of the final disposal rule. OSWER expects to complete internal development of the process or evaluation hierarchy for encapsulated beneficial uses.

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

Planned Corrective Actions: OSWER plans to complete development of the conceptual model for evaluating risks from unencapsulated uses.

Agreed-to Completion Date: March 30, 2014

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

Recommendations

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

Planned Corrective Actions: EPA will develop an Agency-wide plan for providing consistent and effective tribal solid waste management capacity assistance.

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

Recommendation 2: We recommend the Deputy Administrator of EPA require that the Agency-specific plan include:

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

Planned Corrective Actions: The Agency-wide plan will include:

1. A detailed description of the roles and responsibilities for each headquarters program office, as well as the regional counterparts to each program office;
2. Resource information for each headquarters program office and their regional counterparts, which will include both staffing and funding information;
3. New proposed performance measures for consideration in the next EPA Strategic Plan. EPA intends to focus on outcome-oriented measures and ensure that internal controls are a significant factor in selecting new proposed measures. EPA will also attempt to align the proposed measures with the Tribal Decision Maker's Guide and the Guidebook for Building Tribal Environmental Capacity (currently in draft form);

4. Specific procedural requirements for open dump assessment, and the associated data collection and data entry. EPA is also clarifying the definition of an open dump that supports the performance measure. In addition, EPA will ensure that consistent technical information is available to EPA staff and tribal program managers by evaluating all of EPA's information products relating to tribal solid waste management programs, and then making commensurate revisions to EPA's web pages;
5. An assessment of all the existing coordination activities. The Plan will propose instituting specific coordination procedures, including when and how program offices and Regions should raise issues for the appropriate input and direction; and
6. A specific timeline for all outstanding activities.

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

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

Recommendations

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

Planned Corrective Action 4: OARM plans to submit the directive for final approval.

Agreed-to Completion Date: September 15, 2012 (corrective action will be considered past due as of September 15, 2013)

Planned Corrective Action 5: OARM plans to issue the position management directive.

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

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

Recommendations

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

Planned Corrective Action: OCFO will amend Resource Management Directive 2520 to fully describe workload-planning needs.

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

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

Planned Corrective Action 2: OCFO agreed to begin providing quarterly updates to the OIG.

Agreed-to Completion Date: October 31, 2011 (corrective action will be considered past due as of October 31, 2012)

Planned Corrective Action 8: OCFO agreed to update the OIG on next steps and major milestones.

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

Recommendation 4-1: We recommend that the Assistant Administrator for Administration and Resources Management, upon development of the Agency's Strategic Plan, require Agency program and regional offices to provide local-level workforce-planning data, including current year and potential shifts in the numbers of mission-critical occupation positions needed to meet strategic goals.

Planned Corrective Actions: OARM will revise the Strategic Workforce Plan to improve the linkage with the Agency's Strategic Plan and describe how workforce planning will help the Agency achieve its strategic goals. OARM plans to update the Strategic Workforce Plan in conjunction with OCFO's Resource Management Directive 2520.

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

Recommendation 4-3: We recommend that the Assistant Administrator for Administration and Resources Management provide summarized local-level workforce-planning data, including data sorted by programmatic goal level, to Office of Budget.

Planned Corrective Actions: OARM agreed to update workforce planning guidance and/or Strategic Workforce Plan and to summarize Mission-Critical Occupation data for planning purposes and linkage to strategic goals.

Agreed-to Completion Date: February 28, 2012 (corrective action will be considered past due as of February 28, 2013)²

² Subsequent to the end of our review period, October 3, 2012, OARM informed us that recommendations 4-1 and 4-3 had been completed as of August 28, 2012. However, this information was not reflected in MATS.

Action Office: OARM
Report Title: Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements
Report No.: 11-1-0015
Date Issued: 11/15/2010

Recommendations

Recommendation 9: We recommend that the Assistant Administrator for Administration and Resources Management require the Director, Facilities Management and Services Division, to adequately address and resolve the issue and determine why personal property items are missing.

Planned Corrective Actions: Facilities Management and Services Division will develop a new property tracking system. The new system will include individual, as well as location tracking features. This system will also include contract property tracking features.

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

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

Recommendations

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

Planned Corrective Action 3: OAR will ensure Phase II reassessment of baselines for core products.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 4: OAR will finalize new goals and measures.

Agreed-to Completion Date: December 31, 2012

Action Office: OW
Report Title: EPA Lacks Internal Controls to Prevent Misuse of Emergency Drinking Water Facilities
Report No.: 11-P-0001
Date Issued: 10/12/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Water develop standard definitions for the five facility availability codes (permanent, seasonal, emergency, interim and other).

Planned Corrective Actions: EPA has worked with state representatives to develop standard definitions for the five source facility availability codes in the Safe Drinking Water Information System. EPA is in the process of finalizing the definitions, but is delayed by the need to ensure the consistency with the new definitions in the still-to-be promulgated Revised Total Coliform Rule, which is currently with Office of Management and Budget.

Agreed-to Completion Date: May 31, 2013

Recommendation 2-2: We recommend that the Assistant Administrator for Water develop standard operating procedures that follow EPA reporting requirements to assist the States with entering data into the Safe Drinking Water Information System/State databases.

Planned Corrective Actions: Standard operating procedures for states entering data for the source availability codes already exist and will be reviewed and revised where appropriate based on final guidance described in Recommendation 2-1.

Agreed-to Completion Date: May 31, 2013

Recommendation 2-3: We recommend that the Assistant Administrator for Water review the additional information included in State drinking water databases and, if appropriate, add fields to the Safe Drinking Water Information System/Federal to improve the oversight of emergency facilities.

Planned Corrective Actions: EPA is undergoing a comprehensive review of the Safe Drinking Water Information System/Federal (federal version) and Safe Drinking Water Information System/State (state version) as we develop the next generation of the Safe Drinking Water Information System. Based on the final guidance described in Recommendation 2-1, we will request that the EPA-State review the Safe Drinking Water Information System/Federal (federal version) data fields to determine whether further changes would be useful in providing oversight of emergency facilities. Any changes would be incorporated into the revised Safe Drinking Water Information System. Office of Ground Water and Drinking Water is working with states to determine the scope for a new data system. Work on the detailed requirements and business processes is already in progress.

Agreed-to Completion Date: May 31, 2013

Recommendation 2-4: We recommend that the Assistant Administrator for Water assess the risk associated with the unauthorized use of emergency facilities and, if necessary, develop controls to mitigate that risk.

Planned Corrective Actions: The Agency has begun discussions with state representatives on this issue. They continue to believe that it will be very challenging to make any national or state assessment of health risk from emergency wells, since risk assumes exposure to a known contaminant. To ensure that emergency wells are reviewed on an individual and recurring basis, the Agency will issue guidance to states regarding reviewing emergency sources as part of state oversight programs, including sanitary surveys. This guidance will clarify that emergency sources should be reviewed on a recurring basis as part of routine state oversight, and that the review include an assessment of the current status of the source and the monitoring required for the source. The Office of Ground Water and Drinking Water will investigate ways to prompt state agencies to incorporate emergency sources when surveying water systems as part of their state oversight program.

Agreed-to Completion Date: May 31, 2013

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

Recommendations

Recommendation 1: We recommend that the Director of Compliance establish a management control structure to facilitate Permit Compliance System to Integrated Compliance Information System (ICIS)-National Pollutant Discharge Elimination System (NPDES) conversion. The management control structure should support plans to meet milestone dates.

Planned Corrective Actions: The management control structures set up for the conversion from Permit Compliance System to ICIS will continue to be in place through the completion of the Permit Compliance System Modernization and movement of all states from Permit Compliance System to ICIS in FY2013.

Agreed-to Completion Date: September 30, 2013

Recommendation 5: We recommend that the Director of Compliance complete new rules that require States to report minor facility data.

Planned Corrective Actions: OECA agreed to publish the final NPDES Electronic Reporting Rule in the Federal Register.

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

Recommendation 7: We recommend that the Director of Compliance conduct a review of the procedures used to test ICIS-NPDES programming code before it is placed into production.

Planned Corrective Actions: OECA is committed to ensuring that ICIS-NPDES software is thoroughly tested prior to deployment. To that end, procedures for testing will continue to be scrutinized with each release. Testing procedures will continue through quarter 2 of FY 2013, which is the last scheduled major software release of ICIS-NPDES full batch development.

Agreed-to Completion Date: March 31, 2013

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

Recommendations

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

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

Agreed-to Completion Date: September 30, 2017

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

Recommendations

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

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

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

Agreed-to Completion Date: September 30, 2013

Recommendation 3-1: We recommended that the Assistant Administrator for Administration and Resources Management help the Assistant Administrators and Regional Administrators develop and use standard position descriptions where practicable. These position descriptions should be included in the electronic position description library and made available to all offices.

Planned Corrective Actions: OARM is undergoing efforts to develop standard position descriptions. A workgroup was established to begin these efforts. The workgroup has established a plan that calls for standardized position descriptions to be developed for the top ten most frequent positions starting in fourth quarter of FY 2010. Under this approach, the workgroup plans to standardize approximately 15 positions every quarter until complete.

Agreed-to Completion Date: September 30, 2013

Recommendation 3-2: We recommended that the Assistant Administrator for Administration and Resources Management work with the Assistant Administrators and Regional Administrators to review questions in the EZ-Hire question library and, if needed, correct erroneous or out-of-date questions.

Planned Corrective Actions: OARM will work with subject matter experts to begin to develop standard questions to be used in conjunction with standard positions descriptions; (2) determine the kinds of questions that will be most useful as replacements for the “long answer” questions; and (3) develop guidance on EZ-Hire question strategy for use by subject matter experts and hiring officials.

Agreed-to Completion Date: September 30, 2013

Action Office: ORD
Report Title: EPA's Office of Research and Development Performance Measures Need Improvement
Report No.: 10-P-0176
Date Issued: 08/04/2010

Recommendations

Recommendation 2-5: We recommend that the Assistant Administrator for Research and Development require that Board of Scientific Counselors (BOSC) program review reports include an explicit discussion of the reliability and suitability of the performance data that ORD provided to BOSC for each charge question and factor considered.

Planned Corrective Actions: ORD planned to revise the BOSC Program Review Report Guidance document by June 2011 to include this recommendation (an explicit discussion of the reliability and suitability of the performance data for each charge question and factor considered). ORD prefers to implement recommendations 2-5, 2-6, and 2-7 concurrently, since they all require revisions to the BOSC Program Review Report Guidance document. There will be no BOSC program reviews before June 2011 due to the restructured research programs. ORD intends to complete these recommendations prior to the next program review, which may be before the August 31, 2012 implementation date.

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

Recommendation 2-6: We recommend that the Assistant Administrator for Research and Development revise ORD's guidance to BOSC for long-term goal ratings to ensure that all aspects of the summary assessment charge questions are clearly linked to the qualitative ratings definitions.

Planned Corrective Actions: ORD will examine how to improve the BOSC program evaluation process. ORD will review the long-term-goal rating guidance provided to the BOSC and, to the extent appropriate, will more clearly link charge questions to the qualitative rating definitions.

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

Recommendation 2-7: We recommend that the Assistant Administrator for Research and Development supplement the current general long-term goal ratings definitions with program-specific milestones, and benchmarks for success, that are linked to elements in the long-term goal ratings definitions.

Planned Corrective Actions: ORD, in reviewing the BOSC process, will supplement the current long-term goal rating definitions to the extent appropriate, with guidance that includes milestones and benchmarks for success.

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

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

Recommendations

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

- a. Disclosing the current status and progress made in meeting Section 112(k) of the Clean Air Act.
- b. Identifying the urban areas that continue to experience high or unacceptable health risks from cancer and noncancer effects, and how EPA plans to reduce risks in these areas.
- c. Addressing the major factors that have hindered implementation of the Integrated Urban Air Toxics Strategy, and how EPA plans to address these factors.
- d. Providing details on how the Agency intends to meet the Clean Air Act Section 112(k) requirement that at least 10 percent of Section 112 funds to go to State or local agencies to support strategies to address air toxics emissions from area sources.
- e. Disclosing air toxics requirements that the Agency is unable to meet through its current authorities.

Planned Corrective Actions: OAR will develop and submit the required second Urban Air Toxics Report to Congress.

Agreed-to Completion Date: June 30, 2012 (corrective action will be considered past June 30, 2013)

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

Planned Corrective Actions: OAR will review current measures and available data to determine an appropriate progress measure.

Agreed-to Completion Date: June 30, 2012 (corrective action will be considered past June 30, 2013)

Action Office: OEI
Report Title: Improvements Needed In Key EPA Information System Security Practices
Report No.: 10-P-0146
Date Issued: 06/15/2010

Recommendations

Recommendation 3(d): Williams Adley recommends the Director, Office of Technology Operations and Planning enhance the quality assurance process to verify that testing plans and procedures address the cause for testing failures.

Planned Corrective Actions: The Office of Technology Operations and Planning agreed to document failures and save them as an artifact in the Information Security Unified Risk Environment (InSURE) repository for enterprise systems under the Office of Technology Operations and Planning's purview.

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

Recommendation 6: Williams Adley recommends the Director, Office of Technology Operations and Planning develop an inventory of systems that require contingency plans and maintain the status of updates, test dates, testing results, and resolution required.

Planned Corrective Actions: InSURE will house EPA's Certification and Accreditation packages, including all supporting documentation and Contingency Plans. When a Certification and Accreditation package is reviewed, any missing or inadequate documentation will be identified. A plan of action and milestone will be issued for the Contingency Plan (or what is identified). The plan of action and milestone(s) will describe vulnerabilities and will have recommendations to satisfy the Federal Information Security Management Act of 2002 requirement for the vulnerability. InSURE will track the supporting documentation received to ensure the intent of the plan of action and milestone is fulfilled. InSURE will house any partial responses until a fully accepted remediation is received. All supporting documentation will be housed inside InSURE to help maintain a centralized, safe, and retrievable documentation repository that is available to all of EPA. Any application or project with vulnerabilities will be tracked individually. All supporting documentation submitted will be filed by the application's or project's folders. The folders are available to any person who has authorization access. The folder will stay active until all plans of action and milestones are closed by meeting or exceeding Federal Information Security Management Act of 2002's requirements or management assumes the risk(s). After it is in place, the InSURE tool will create a listing of organizations that require a contingency plan and distribute it across the agency.

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

Action Office: OW
Report Title: EPA Needs Procedures to Address Delayed Earmark Projects
Report No.: 10-P-0081
Date Issued: 03/22/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Water, in consultation with the Chief Financial Officer, establish a national policy that creates a response framework for dealing with unobligated earmarks.

Recommendation 3-1: We recommend that the Assistant Administrator for Water, in consultation with the Chief Financial Officer, establish a national policy that clearly identifies corrective actions for delayed projects.

Recommendation 3-2: We recommend that the Assistant Administrator for Water, in consultation with the Chief Financial Officer, create an exception reporting procedure for delayed projects to focus management attention on such cases.

Planned Corrective Action 6: The Agency's plan to begin analysis of the management plan's impact is in progress. (This action applies to all three of the above recommendations.)

Agreed-to Completion Date: October 30, 2012

Planned Corrective Action 7: The Agency plans to issue a report describing management plan's impact. (This action applies to all three of the above recommendations.)

Agreed-to Completion Date: October 30, 2012

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

Recommendations

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

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

Agreed-to Completion Date: December 31, 2012

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

Agreed-to Completion Date: February 28, 2013

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

Planned Corrective Actions: If legal authority is determined to exist, OCSP will propose regulation(s) to establish sunset provisions for Confidential Business Information claims.

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

Action Office: Region 3
Report Title: Changes in Conditions at Wildcat Landfill Superfund Site in Delaware Call for Increased EPA Oversight
Report No.: 10-P-0055
Date Issued: 01/26/2010

Recommendations

Recommendation 2-1: We recommend that the Regional Administrator, Region 3, establish a sampling plan for the monitoring wells and surface waters that includes testing for total petroleum hydrocarbons.

Planned Corrective Actions: Region 3 is scheduled to sample the site in the fall of 2012 and the analysis is expected to be completed in early calendar year 2013.

Agreed-to Completion Date: March 15, 2012 (corrective action will be considered past due as of March 15, 2013)

Recommendation 2-2: We recommend that if petroleum is found on the site above acceptable and appropriate levels, the Regional Administrator, Region 3, take action to address the contamination and amend existing site documents or generate new site documents, to ensure the site is protective of human health and the environment for current and planned land uses.

Planned Corrective Actions: Region 3 is scheduled to sample the site in the fall of 2012 and the analysis is expected to be completed in early CY 2013.

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

Recommendation 2-3: We recommend that the Regional Administrator, Region 3, formally document oversight of the site owner's plans and agreements for use of the site. This includes an evaluation and determination of the impact of construction or vegetation change on the remedy, and what modifications to the remedy and/or record of decision will be needed to support unrestricted access to portions of the site.

Planned Corrective Actions: To date, the owner's plans for the Site have been quite preliminary and physical realization of those plans has been estimated by the Site owner to be several years off in the future. As it awaits the owner's actions, EPA will document discussions held with the Site owner regarding plans and agreements for use of the Site in the Site file. As part of its plan for conducting improved oversight of the Site reuse plans, EPA will contact the Site owner by telephone no less often than once per calendar quarter to discuss any ongoing and planned Site-related activities. Communication with Kent County continues. Region 3 spoke to the Kent County Parks Director on September 6, 2012.

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

Recommendation 2-4: We recommend that the Regional Administrator, Region 3, change the sampling protocol to include dissolved (filtered) metals analysis. Continue to require that the reporting limits for all analyses are at or below the Department of Natural Resources and Environmental Control (Delaware) standard to ensure that all contamination above the standard is detected. Assess the effect of the sampling results on the protectiveness determination of the site.

Planned Corrective Actions: Region 3 is scheduled to sample the site in the fall of 2012 and the analysis is expected to be completed in early calendar year 2013.

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

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

Recommendations

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

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

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

Agreed-to Completion Date: November 12, 2012

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

Planned Corrective Actions: The Agency is in the process of developing training materials.

Agreed-to Completion Date: May 31, 2013

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

Recommendations

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

Planned Corrective Action 4: Office of Enforcement and Compliance Assurance (OECA) will issue the High Priority Violation Identification Report (beginning March 2013, and continuing annually).

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

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

Planned Corrective Action 3: OECA is following the Watch List Standard Operating Procedures. OECA will modify the semiannual and annual reports it generates using updated metrics and currently available tools and other evaluation mechanisms (e.g., integrating Watch List reports with State Review Framework metrics). This is conducted on an ongoing basis. OECA will continue to do annual data verification of Air Facility System data, which began in December 2009, and is done annually thereafter. OECA will issue the High Priority Violation Identification Report on March 29, 2013.

Agreed-to Completion Date: October 1, 2012

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

Recommendations

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

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

Agreed-to Completion Date: June 30, 2013

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

Agreed-to Completion Date: December 31, 2013

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

Recommendations

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

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

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

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

Planned Corrective Actions: OW agreed to publish and make available on EPA's nutrient criteria website a State status review report showing a cross walk between milestones and program activity measures. Once completed, OW will continue to do this every two years. (This corrective action applies to all three recommendations.)

Agreed-to Completion Date: December 31, 2012 and every two years thereafter

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

Recommendations

Recommendation 2-5: We recommend that the Acting Assistant Administrator for the Office of Air and Radiation monitor the upgrade of the Radiation Ambient Monitoring system against the planned schedule in the Critical Infrastructure and Key Resources Protection Plan until completed.

Planned Corrective Actions: OAR will track Radiation Ambient Monitoring system milestones in MATS and revise the information on a quarterly basis. The network will include a total of 134 monitors.

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

Action Office: OSWER
Report Title: EPA Should Continue Efforts to Reduce Unliquidated Obligations in Brownfields Pilot Grants
Report No.: 08-P-0265
Date Issued: 09/16/2008

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for the Office of Solid Waste and Emergency Response follow up to ensure that the regions deobligate the remaining funds for the 21 grants that have ended or are scheduled to end by September 30, 2008.

Planned Corrective Actions: OSWER agreed to ensure that the Region deobligate the remaining funds for the Jacksonville, Florida grant once clean up is completed and the grant ends.

Agreed-to Completion Date: December 31, 2012

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

Recommendations

Recommendation 2: We recommend that the Region 9 Administrator reclassify or transfer to the Trust Fund, as appropriate, up to \$27.8 million (plus any earned interest less oversight costs) of the Stringfellow special accounts in annual reviews, and at other milestones including the end of Fiscal Year 2010, when the record of decision is signed and the final settlement is achieved.

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

Agreed-to Completion Date: December 31, 2012

Action Office: OAR
Report Title: Improvements in Air Toxics Emissions Data Needed to Conduct Residual Risk Assessments
Report No.: 08-P-0020
Date Issued: 10/31/2007

Recommendations

Recommendation 3-2: We recommend the Principal Deputy Assistant Administrator for Air and Radiation revise the Consolidated Emissions Reporting Rule to require standardized State reporting requirements and methods for calculating air toxics emissions data.

Planned Corrective Actions: OAR's plan to revise the Air Emissions Report Rule for reporting of Hazardous Air Pollutant emissions is as follows: (1) continue with its current voluntary program; (2) analyze the quality of the voluntarily submitted emissions data now that the 2005 National Air Toxics Assessment is completed, and perform the same analysis for the 2008 National Air Toxics Assessment, once it is completed; (3) amend major and area source rules as they are reopened to add provisions requiring that facilities submit required emissions and performance data to EPA electronically. To do this plan, EPA is developing a rule to require all sources subject to Code of Federal Regulations Pars 60, 61, and 63 regulations to electronically submit emissions data directly to the Agency. OAR is also committed to determining if any further actions are warranted.

Agreed-to Completion Date: May 15, 2012 (corrective actions will be considered past due as of May 15, 2013)

Action Office: OECA
Report Title: Overcoming Obstacles to Measuring Compliance: Practices in Selected Federal Agencies
Report No.: 2007-P-00027
Date Issued: 06/20/2007

Recommendations

Recommendation 4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance establish a plan of action with milestones to incorporate using statistical methods to demonstrate the results of EPA's enforcement and compliance strategies.

Planned Corrective Actions: OECA plans to incorporate the utilization of new measures in other regulated enforcement universes, as appropriate.

Agreed-to Completion Date: December 31, 2012

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

Recommendations

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

Planned Corrective Actions: Region 2 will prepare a Record of Decision that will discuss all prior investigation and cleanup action implemented at the site, and provide a comparison of the current and prior investigations and cleanup actions.

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

Action Office: OEI
Report Title: EPA Could Improve Controls Over Mainframe Software
Report No.: 2007-P-00008
Date Issued: 01/29/2007

Recommendations

Recommendation 9: We recommend that the Director for the Office of Technology Operations and Planning complete efforts to update the *Office of Environmental Information (OEI) Information Security Manual* and the *EPA Information Security Manual*. Subsequent to finalizing the changes, ensure the manuals are (1) reviewed timely by EPA management for adequacy, accuracy, and completeness; and (2) approved by EPA management in a timely manner.

Planned Corrective Actions: The Office of Technology Operations will update the OEI Security Manual when the Agency Network Security Policy is signed and approved.

Agreed-to Completion Date: March 30, 2013

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

Recommendations

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

Planned Corrective Action 1: OSWER will complete the baseline risk assessment including a comprehensive toxicity assessment.

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

Planned Corrective Action 2: OSWER will complete the National Health and Environmental Effects Research Laboratory animal toxicity studies.

Agreed-to Completion Date: September 30, 2015

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

Recommendations

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

Planned Corrective Actions: OCFO will update the Funds Control Manual to describe the use of the Superfund Cost Recovery Package Imaging and On-Line System in tracking all Superfund site cleanup-related costs.

Agreed-to Completion Date: October 31, 2011 (corrective action will be considered past due as of October 31, 2012)

Action Office: OECA
Report Title: Priority Enforcement Areas
Report No.: 2005-P-00024
Date Issued: 09/19/2005

Recommendations

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

Planned Corrective Actions: After unsuccessful negotiating for several years with states to provide the needed data voluntarily, OECA initiated rulemaking to require the data.

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

Action Office: OAR
Report Title: Evaluation of Clean Air Act Title V Operation Permit Quality
Report No.: 2005-P-00010
Date Issued: 03/09/2005

Recommendations

Recommendation 2-2: We recommend that the Assistant Administrator for Air and Radiation issue the draft rule regarding intermittent versus continuous monitoring as it relates to annual compliance certifications and including credible evidence.

Planned Corrective Actions: OAR will issue a rule regarding credible evidence. A typical rule takes 24 months.

Agreed-to Completion Date: October 31, 2012

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

Recommendations

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

Planned Corrective Actions: OECA has initiated rulemaking to require the data.

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

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

Planned Corrective Actions: OECA agreed to initiate rulemaking to require data submission.

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

OIG Reports With Unimplemented Recommendations by Program Office as of September 30, 2012

Recommendations With Past Due Completion Dates

OAR

- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (**Recommendations 2-1, 2-2, and 2-3**)
- 2005-P-00010** Evaluation of Clean Air Act Title V Operation Permit Quality (**Recommendations 2-1 and 2-3**)

OARM

- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege (**Recommendation 2a**)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (**Recommendation 4-1(b)**)

OCFO

- 10-1-0029** Audit of 2009 and 2008 (Restated) Consolidated Financial Statements (**Recommendations 27 and 32**)

Recommendations With Future Planned Completion Dates

OA

- 12-P-0125** Early Warning Report: Use of Unapproved Asbestos Demolition Methods May Threaten Public Health (**Recommendations 5 and 6**)
- 11-P-0708** EPA Progress on the 2007 Methamphetamine Remediation Research Act (**Recommendation 3**)
- 11-P-0315** Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**Recommendations 4, 5, and 6**)
- 11-P-0171** EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance (**Recommendations 1 and 2**)

OAR

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

- 11-R-0179 EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants **(Recommendations 3 and 5)**
- 11-P-0010 ENERGY STAR Label Needs to Assure Superior Energy Conservation Performance **(Recommendation 2)**
- 10-P-0154 Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented **(Recommendations 1 and 2)**
- 09-P-0087 EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented **(Recommendation 2-5)**
- 08-P-0020 Improvements in Air Toxics Emissions Data Needed to Conduct Residual Risk Assessments **(Recommendation 3-2)**
- 2005-P-00010 Evaluation of Clean Air Act Title V Operation Permit Quality **(Recommendation 2-2)**

OARM

- 12-P-0328 Improvement Required to Safeguard Enforcement and Inspection Credentials **(Recommendation 1)**
- 12-P-0320 Polices Needed for Proper Use and Management of Cost-Reimbursement Contracts Based on Duncan Hunter Act **(Recommendations 1, 2, and 3)**
- 12-P-0311 EPA Can Improve Its Improper Payments Reporting Compendium **(Recommendation 2)**
- 12-4-0295 Agreed-Upon Procedures Applied to Equipment Rate Proposals Submitted Under EPA Contract EP-S9-11-01 by SFS Chemical Safety, Inc. **(Recommendation 1)**
- 12-1-0073 Audit of EPA's Fiscal 2011 and 2010 Consolidated Financial Statements **(Recommendations 9, 11, and 12)**
- 11-P-0705 EPA's Contract Oversight and Controls Over Personal Computers Need Improvement **(Recommendations 2 and 4)**
- 11-P-0616 EPA Has Not Fully Implemented a National Emergency Equipment Tracking System **(Recommendation 3)**
- 11-P-0136 EPA Needs Better Agency-Wide Controls Over Staff Resources **(Recommendation 1)**
- 11-P-0031 EPA Needs to Strengthen Internal Controls for Determining Workforce Levels **(Recommendations 4-1 and 4-3)**
- 11-1-0015 Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements **(Recommendation 9)**
- 10-P-0177 EPA Revised Hiring Process Needs Additional Improvements **(Recommendations 2-1-, 2-2, 3-1, and 3-2)**
- 10-P-0002 Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege **(Recommendation 2b)**

OCFO

- 12-P-0311 EPA Can Improve Its Improper Payments Reporting Compendium (**Recommendation 2**)
- 11-P-0687 EPA Should Improve Timeliness for Resolving Audits Under Appeal (**Recommendation 1**)
- 11-P-0630 EPA Needs Workload Data to Better Justify Future Workforce Levels (**Recommendations 1 and 2**)
- 11-P-0362 EPA Needs to Reexamine How It Defines Its Payment Recapture Audit Program (**Recommendation 1**)
- 11-P-0223 EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process (**Recommendations 2 and 4**)
- 11-P-0031 EPA Needs to Strengthen Internal Controls for Determining Workforce Levels (**Recommendations 2-1 and 2-2**)
- 10-P-0177 EPA Revised Hiring Process Needs Additional Improvements (**Recommendations 2-1 and 2-2**)
- 2006-P-00013 EPA Can Better Manage Superfund Resources (**Recommendation 2-3**)

OCSPP

- 11-P-0379 EPA's Voluntary Chemical Evaluation Program Did Not Achieve Children's Health Protection Goals (**Recommendation 1**)
- 11-P-0215 EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results (**Recommendations 1, 2, 4, and 5**)
- 10-P-0066 EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities (**Recommendations 2-4 and 2-5**)

OECA

- 12-P-0376 Early Warning Report: Use of Contractors to Conduct Clean Air Act Risk Management Program Inspections in Certain States Goes Against Court Decisions (**Recommendation 1**)
- 12-P-0328 Improvement Required to Safeguard Enforcement and Inspection Credentials (**Recommendation 1**)
- 12-P-0253 EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program (**Recommendations 1 and 2**)
- 12-1-0073 Audit of EPA's Fiscal 2011 and 2010 Consolidated Financial Statements (**Recommendation 1**)
- 11-P-0315 Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**Recommendation 1**)
- 10-P-0230 ECHO Data Quality Audit-Phase II Results: EPA Could Achieve Data Quality Rate With Additional Improvements (**Recommendations 1, 5, and 7**)
- 10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement (**Recommendation 2-2**)

- 10-P-0007 EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement **(Recommendations 1 and 3)**
- 2007-P-00027 Overcoming Obstacles to Measuring Compliance: Practices in Selected Federal Agencies **(Recommendation 4)**
- 2005-P-00024 Priority Enforcement Areas **(Recommendation 2-4)**
- 2001-P-00013 Water Enforcement: State Enforcement of Clean Water Act Discharges Can Be More Effective **(Recommendations 3-1 and 3-2)**

OEI

- 11-P-0277 EPA Has Taken Steps to Address Cyber Threats but Key Actions Remain Incomplete **(Recommendation 3)**
- 10-P-0177 EPA Revised Hiring Process Needs Additional Improvements **(Recommendations 2-1 and 2-2)**
- 10-P-0146 Improvements Needed In Key EPA Information System Security Practices **(Recommendations 3(d) and 6)**
- 2007-P-00008 EPA Could Improve Controls Over Mainframe Software **(Recommendation 9)**

ORD

- 11-P-0708 EPA Progress on the 2007 Methamphetamine Remediation Research Act **(Recommendation 1)**
- 11-P-0702 Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes **(Recommendation 3)**
- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill **(Recommendation 8)**
- 11-P-0386 Office of Research and Development Should Increase Awareness of Scientific Integrity Policies **(Recommendations 1, 2b, and 3)**
- 11-P-0333 Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings **(Recommendation 1)**
- 10-P-0176 EPA's Office of Research and Development Performance Measures Need Improvement **(Recommendations 2-5, 2-6, and 2-7)**

OSWER

- 12-P-0289 Controls Over State Underground Storage Tank Inspection Programs in EPA Regions Generally Effective **(Recommendation 1)**
- 12-P-0253 EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program **(Recommendations 1 and 2)**
- 11-P-0708 EPA Progress on the 2007 Methamphetamine Remediation Research Act **(Recommendations 1 and 2)**

- 11-P-0706 EPA Should Clarify and Strengthen Its Waste Management Oversight Role With Respect to Oil Spills (**Recommendations 1 and 3**)
- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill (**Recommendations 1, 2, 3, 5, 6, and 7**)
- 11-P-0173 EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information (**Recommendation 1**)
- 10-P-0042 Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks (**Recommendations 2 and 3**)
- 08-P-0265 EPA Should Continue Efforts to Reduce Unliquidated Obligations in Brownfields Pilot Grants (**Recommendation 3**)
- 2007-P-00002 EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup (**Recommendations 1 and 2**)

OW

- 12-P-0249 EPA Should Strengthen Records Management on Clean Water Act Section 404 Permit Notification Review (**Recommendations 2 and 4**)
- 12-P-0102 Enhanced Coordination Needed to Ensure Drinking Water State Revolving Funds Are Used to Help Communities Not Meeting Standards (**Recommendations 1, 2, and 3**)
- 11-P-0315 Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**Recommendation 1**)
- 11-P-0001 EPA Lacks Internal Controls to Prevent Misuse of Emergency Drinking Water Facilities (**Recommendations 2-1, 2-2, 2-3, and 2-4**)
- 10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement (**Recommendation 2-2**)
- 10-P-0081 EPA Needs Procedures to Address Delayed Earmark Project (**Recommendations 2-1, 3-1, and 3-2**)
- 09-P-0223 EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards (**Recommendations 2-3, 2-4, and 2-5**)

Region 2

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

Region 3

- 10-P-0055 Changes in Conditions at Wildcat Landfill Superfund Site in Delaware Call for Increased EPA Oversight (**Recommendations 2-1, 2-2, 2-3, and 2-4**)

Region 4

- 11-P-0274 Region 4 Should Strengthen Oversight of Georgia’s Concentrated Animal Feeding Operation Program (**Recommendation 1**)
- 11-P-0221 Oversight of North Carolina’s Renewals of Thermal Variances (**Recommendations 1 and 2**)

Region 8

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

Region 9

- 12-2-0072 Agreed-Upon Procedures Applied to EPA Grants Awarded to Summit Lake Paiute Tribe, Sparks, Nevada (**Recommendations 2 and 3**)
- 11-P-0725 Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA’s Network (**Recommendations 4, 6, 8, and 10**)
- 08-P-0196 Making Better Use of Stringfellow Superfund Special Accounts (**Recommendation 2**)

Region 10

- 12-P-0220 Region 10 Technical and Computer Security Vulnerabilities Increase Risk to EPA’s Network (**Recommendations 1, 4, 5, and 7**)

Unimplemented Recommendations: Current Compendium (Past Due Recommendations) Compared to 04/30/12 Compendium

Continuing Unimplemented Recommendations

- 10-1-0029** Audit of 2009 and 2008 (Restated) Consolidated Financial Statements (**OCFO, Recommendations 27 and 32**)
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privileges (**OARM, Recommendation 2a**)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (**OARM, Recommendation 4-1(b)**)

New Unimplemented Recommendations

- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (**OAR, Recommendations 2-1, 2-2, and 2-3**)
- 2005-P-00010** Evaluation of Clean Air Act Title V Operation Permit Quality (**OAR, Recommendations 2-1 and 2-3**)

Removed Unimplemented Recommendations

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

- 10-1-0029** Audit of 2009 and 2008 (Restated) Consolidated Financial Statements (**OCFO, Recommendations 10 and 11; OARM, Recommendation 18**)