



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

OFFICE OF
INSPECTOR GENERAL

May 10, 2018

MEMORANDUM

SUBJECT: Project Notification:
EPA Enforcement of Superfund Orders and Agreements
Project No. OA&E-FY18-0215

FROM: Christina Lovingood, Director /s/
Land Cleanup and Waste Management
Office of Audit and Evaluation

TO: Susan Bodine, Assistant Administrator
Office of Enforcement and Compliance Assurance

Barry Breen, Acting Assistant Administrator
Office of Land and Emergency Management

The Office of Inspector General (OIG) for the U.S. Environmental Protection Agency (EPA) plans to begin preliminary research on the EPA's enforcement of Superfund Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Response Settlements and Unilateral Response Orders. Holding potentially responsible parties accountable to timeframes and commitments is a part of the EPA's key programmatic activities discussed in the fiscal years 2018–2019 Office of Enforcement and Compliance Assurance National Program Manager Guidance. This project is included in the OIG fiscal year 2018 annual plan.

The project objective is to determine whether the EPA is enforcing Potentially Responsible Parties' compliance with EPA Superfund CERCLA Response Settlements and Unilateral Response Orders. This objective is preliminary and subject to change if the OIG moves into the fieldwork phase of the project. The OIG plans to conduct work at the EPA's Office of Enforcement and Compliance Assurance and the Office of Land and Emergency Management, and in the regions. We will interview relevant managers and staff in the Office of Site Remediation Enforcement and the Office of Compliance (both within the Office of Enforcement and Compliance Assurance) and others as necessary. Applicable generally accepted government auditing standards will be used in conducting the project. The anticipated benefit of this project is protecting human health and the environment.

We will contact you to arrange a mutually agreeable time to discuss our objective and the purpose of the preliminary research phase of our project. We would also be particularly interested in any areas of concern that you may have. We will answer any of your questions about the project process, reporting procedures, methods used to gather and analyze data, and what we should expect of each other during the course of the project. Throughout the project, we will provide updates on a regular basis to agreed-upon contacts from your office on the status of our project.

To help ensure the success and timely completion of this project, we request that you provide any internal EPA lists of Significant/Substantial Non-Compliers, and the name(s) of any data base(s) that would provide lists of non-compliant Potentially Responsible Parties, at or before the kickoff meeting.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978, as amended, to have timely access to personnel and all materials necessary to complete its objectives. We will request that you resolve the situation if an agency employee or contractor refuses to provide requested records to the OIG, or otherwise fails to cooperate with the OIG. We may report unresolved access matters to the Administrator and include the incident in the *Semiannual Report to Congress*.

The project will be supervised by me and the Project Manager will be Patrick Milligan. Any information related to the project should be addressed to me at (202) 566-2906 or lovingood.tina@epa.gov, or Patrick Milligan at (215) 814-2326 or milligan.patrick@epa.gov.

cc: Ryan Jackson, Chief of Staff
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