



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

THE INSPECTOR GENERAL

September 1, 2021

MEMORANDUM

SUBJECT: Response to Planned Corrective Actions for Office of Inspector General
Report No. [21-P-0122](#), *Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits*,
issued April 21, 2021

FROM: Sean W. O'Donnell

A handwritten signature in blue ink, reading "Sean W O'Donnell", is placed over the printed name.

TO: Diana Esher, Acting Regional Administrator
EPA Region 3

Thank you for your June 17, 2021 memorandum, which outlines the U.S. Environmental Protection Agency's planned corrective actions and estimated milestone dates for the unresolved Recommendations 1, 2, and 3 issued in the subject Office of Inspector General report. The remaining two recommendations (Recommendations 4 and 5) were previously resolved. Based on the information and supporting documentation provided, the planned corrective actions meet the intent of Recommendation 3. You should track implementation of EPA corrective actions in the Agency's audit tracking system until all actions are completed.

However, the planned corrective actions do not meet the intent of Recommendations 1 and 2. For Recommendation 1, while Region 3 committed to a discretionary review of 5 percent of the 286 previously modified National Pollutant Discharge Elimination System mining permits and the incorporation of three previously modified permits into the ongoing Permit Quality Review for West Virginia, the small sample does not represent the total universe of modified permits identified by our recommendation. For Recommendation 2, Region 3 did not clearly state that they will review the previously modified permits to determine whether the permits contain effluent limits for ionic pollution.

We consider these two recommendations unresolved. EPA Manual 2750 requires that recommendations be resolved promptly. Please review our final report and provide us your response concerning specific actions in process or alternative corrective actions proposed on the recommendations.

We will post this memorandum on our public website at www.epa.gov/oig.

cc: Lorraine Fleury, Audit Follow-Up Coordinator, Region 3
Farah Martinez, Audit Follow-Up Coordinator, Region 5
Andrew LeBlanc, Agency Follow-Up Coordinator
José Kercado, Backup Agency Follow-Up Coordinator
Charles J. Sheehan, Deputy Inspector General
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