



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

OFFICE OF
INSPECTOR GENERAL

March 15, 2023

MEMORANDUM

SUBJECT: Notification of Evaluation:
Effectiveness of IJJA Funding at American Creosote Works, Inc. Superfund Site in
Pensacola, Florida
Project No. OSRE-FY23-0054

FROM: Lindsay Clarke Brubaker, Director 
Environmental Infrastructure Oversight Directorate
Office of Special Review and Evaluation

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

The U.S. Environmental Protection Agency Office of Inspector General plans to begin an evaluation. This evaluation is being initiated to examine the institutional controls at the American Creosote Works, Inc. Superfund site in Pensacola, Florida. This evaluation is part of the OIG's [Infrastructure Investment and Jobs Act Oversight Plan](#). This evaluation also addresses the following fiscal year 2023 [top management challenge](#) for the Agency: managing increased investment in infrastructure.

Our objective is to determine whether the EPA's oversight and implementation of institutional controls will support effective use of Infrastructure Investment and Jobs Act, or IJJA, funding at the American Creosote Works, Inc. Superfund site in Pensacola, Florida. We plan to conduct work within the Office of Land and Emergency Management and at the American Creosote Works, Inc. site. The evaluation will be conducted using *Quality Standards for Inspection and Evaluation*, issued by the Council of the Inspectors General on Integrity and Efficiency. The anticipated benefits of this evaluation include helping the EPA ensure that the institutional controls put in place to protect public health and the environment are functioning as intended. Our evaluation will also help ensure that the planned site remediation, which will be funded by IJJA appropriations, is supported by robust institutional controls. This evaluation also includes environmental justice benefits because the community surrounding the site is a disadvantaged community and the health costs associated with any exposure would likely cause an extreme financial burden.

We will contact you to arrange a mutually agreeable time to discuss our objectives. We would also be particularly interested in any areas of concern that you may have. We will answer any of your questions about the evaluation process, reporting procedures, methods used to gather and analyze data, and what we should expect of each other during the evaluation. Throughout the evaluation, we will provide updates on a regular basis.

To expedite our evaluation, please provide a copy of the site health and safety plan for American Creosote Works, Inc. as soon as possible after receipt of this notification.

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. Similarly, EPA Manual 6500, *Functions and Activities of the Office of Inspector General* (1994), requires that each EPA employee cooperate with and fully disclose information to the OIG. Also, Administrator Michael S. Regan, in an April 28, 2021 email message to EPA employees, conveyed his “expectation that EPA personnel provide OIG timely access to records or other information” and observed that “full cooperation with the OIG is in the best interest of the public we serve.” We will request that you immediately resolve the situation if an Agency employee or contractor refuses to provide requested materials to the OIG or otherwise fails to cooperate with the OIG. Consistent with the IG Act, we may report unresolved access matters to the administrator and to Congress.

We will post this memorandum on our public website at www.epa.gov/oig. Anyone with knowledge of potential fraud, waste, abuse, misconduct, or mismanagement related to this evaluation should contact the OIG Hotline at (888) 546-8740 or via an electronic form on the “OIG Hotline” [webpage](#).

cc: Janet McCabe, Deputy Administrator
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Jon Monger, Assistant Deputy Administrator
Wesley J. Carpenter, Deputy Chief of Staff for Management, Office of the Administrator
Anne Heard, Acting Deputy Assistant Administrator for Land and Emergency Management
Larry Douchand, Director, Office of Superfund Remediation and Technology Innovation
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