U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Cleaning up and revitalizing land
Operating efficiently and effectively

EPA's Distribution of Superfund Human Resources Does Not Support Current Regional Workload

Report No. 17-P-0397 **September 19, 2017**

Report Contributors:

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Abbreviations

CFR	Code of Federal Regulations
DoD	U.S. Department of Defense
EPA	U.S. Environmental Protection Agency
FTE	Full-Time Equivalent
FY	Fiscal Year
NAVFAC	Naval Facilities Engineering Command
NPL	National Priorities List
NRBPP	National Risk-Based Priority Panel
OCFO	Office of the Chief Financial Officer
OIG	Office of Inspector General
OLEM	Office of Land and Emergency Management
USACE	U.S. Army Corps of Engineers

Cover photo: View of Commencement Bay Nearshore Tideflats Superfund site. As of FY 2016, portions of this site do not have remedial project managers assigned and work has slowed in these areas due to lack of FTEs. (EPA photo)

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U.S. Environmental Protection Agency
Office of Inspector General

17-P-0397
September 19, 2017

At a Glance

Why We Did This Review

We evaluated whether the U.S. Environmental Protection Agency's (EPA's) distribution of Superfund human resources among EPA regions supports the current regional workload.

In the past 21 years, the EPA Office of Inspector General (OIG) and U.S. Government Accountability Office have issued over 10 reports citing the need for the EPA to implement workload analysis into its human resource distributions. In the 1980s, the EPA conducted comprehensive workload analyses to determine appropriate workforce levels and each year, with regional consensus, evaluated need and allocated its human resources accordingly. However, in 1987, the agency chose to no longer redistribute Superfund staff positions across the regions and, as a result, the distribution of full-time equivalent staff was focused on marginal changes.

This report addresses the following:

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- *Operating efficiently and effectively.*

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Listing of OIG reports.

EPA's Distribution of Superfund Human Resources Does Not Support Current Regional Workload

What We Found

The distribution of Superfund full-time equivalents (FTEs) among EPA regions does not support current regional workloads. As a result, some regions have had to prioritize work and have slowed down, discontinued or not started cleanup work due to a lack of FTEs, while other regions have not had to resort to such actions. In a survey of EPA regions, in fiscal years 2015 and 2016, six of 10 regions said they were not able to start, or had to discontinue, work due to lack of FTEs.

Due to insufficient human resources to cover all Superfund site work, some regions have had to slow down or discontinue their efforts to protect human health and the environment.

The EPA's Superfund program has only marginally changed the FTE distribution in 30 years because it believes redistribution would cause a disruption of work and there is general management unwillingness to redistribute FTEs. Some sites where work has slowed down or been discontinued do not have "human exposure under control" or "groundwater migration under control." Other impacts include loss of subsistence fishing and continued contamination with chemicals such as lead and mercury.

Other federal organizations that perform similar site cleanups demonstrate opportunities for the EPA to align its workload prioritization and FTE distribution according to a national risk-based prioritization structure. For example, two Department of Defense (DoD) organizations—the U.S. Army Corps of Engineers and the Naval Facilities Engineering Command—require, pursuant to DoD regulations, prioritization of sites based on risk and other factors. According to the DoD, funds supporting FTEs are distributed nationwide to the highest prioritized sites.

Recommendations and Planned Agency Corrective Actions

We recommend that the Assistant Administrator for Land and Emergency Management address past obstacles to resource allocation; review the U.S. Army Corps of Engineers and Naval Facilities Engineering Command workload management and FTE distribution practices to identify those aspects of the process that may be beneficial for the EPA to adopt; implement a national prioritization of all sites (except emergency and time-critical removal actions and federal facilities); regularly distribute regional FTEs according to that prioritization; and obtain relevant data from regions. All recommendations are resolved with agreed-to actions pending.

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

THE INSPECTOR GENERAL

September 19, 2017

MEMORANDUM

SUBJECT: EPA's Distribution of Superfund Human Resources Does Not Support Current Regional Workload
Report No. 17-P-0397

FROM: Arthur A. Elkins Jr.

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

This is our report on the subject review conducted by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). The project number for this review was OPE-FY16-0015. This report contains findings that describe the problems the OIG has identified and corrective actions the OIG recommends. This report represents the opinion of the OIG and does not necessarily represent the final EPA position. Final determinations on matters in this report will be made by EPA managers in accordance with established audit resolution procedures.

The EPA's Office of Land and Emergency Management is responsible for the EPA's Superfund cleanup program.

Action Required

The agency agreed with all recommendations and provided planned corrective actions and completion dates; all recommendations are resolved with agreed-to actions pending. Therefore, the agency is not required to provide a written response to this final report. Please update the EPA's Management Audit Tracking System as you complete the planned corrective actions. Please notify my staff if there is a significant change in the agreed-to corrective actions. Should you choose to provide a response to this final report, we will post your response on the OIG's public website, along with our memorandum commenting on your response. You should provide your response as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended.

We will post this report to our website at www.epa.gov/oig.

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Chapter 1
Introduction

Purpose

The purpose of this evaluation was to determine whether the U.S. Environmental Protection Agency's (EPA's) distribution of Superfund resources[1] among the EPA regions supports the current regional workload. This evaluation was conducted in response to an agency request.

Background

Prior Reports

The EPA has not incorporated workload analysis into its resource allocations despite years of reporting by the EPA Office of Inspector General (OIG) and the Government Accountability Office that this should be done. The OIG and the Government Accountability Office have issued over 10 reports since 1996 identifying the agency's need to incorporate workload into allocating resources agency-wide. As a result, the OIG continues to keep workload as one of the agency's management challenges.

History of Superfund Distribution of Full-Time Equivalents (FTEs)

During the 1980s, the EPA conducted comprehensive workload analyses to determine appropriate workforce levels, including the Superfund program. According to EPA personnel, in 1987 the EPA decided it would discontinue these analyses as it had become problematic, and instead focused on marginal changes to FTE distribution. The EPA's programs were maturing and becoming more established, budgets began to level off, and as a result the EPA began adjusting the size of its workforce via incremental shifts from prior-year levels.

In responding in part to an OIG report recommendation,[2] in 2008, the EPA Superfund program undertook a Workload Assessment Study and found an

[1] For purposes of this report, resources are human resources or FTEs used in the Superfund program for the cleanup of all sites in the pre-remedial, study, design and remedial phases of cleanup; and sites with non-time-critical removal actions. Emergency and time-critical removal actions, and federal facility sites, are excluded from the scope of this evaluation. Emergency and time-critical removal actions are excluded because they are responses that are not planned. Federal facility sites are excluded because, according to the EPA, they currently use a workload model that factors in FTEs.

[2] The 2006 OIG report, *EPA Can Better Manage Superfund Resources* (Report No. 2006-P-00013), issued February 28, 2006, was completed in response to a congressional request to evaluate Superfund expenditures and recommend options to increase resources directed to extramural cleanup while minimizing administrative costs.

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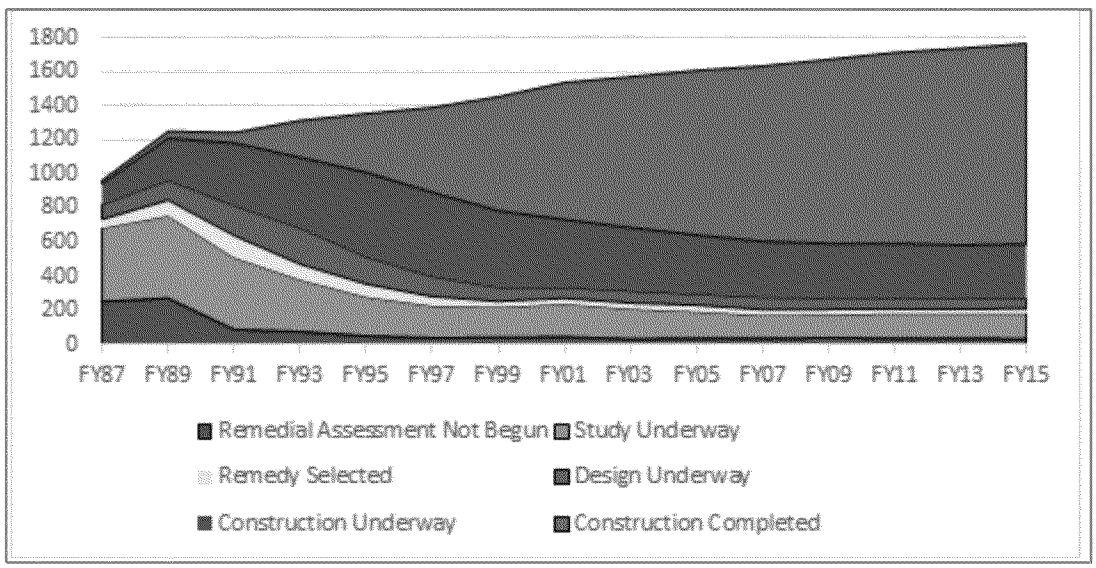
imbalanced resource distribution among the EPA's 10 regions. Specifically, the report found that the distribution of fiscal year (FY) 2006 FTEs was not proportional to future workload. However, the Superfund program decided that moving or rebalancing resources would likely produce substantial disruption, which could cause a short-term decrease in the national output. The Superfund program declined to make any substantive changes to the FTE distribution.

The EPA has not revised the methodology behind its distribution of Superfund resources to EPA regions, despite its own data showing that regional distribution of Superfund National Priorities List (NPL) sites has changed.[3] The status of sites has evolved over time. In 1987, many Superfund sites were in the early stages of the cleanup process, while the majority are now in the construction complete phase, as shown in Figure 1. By the end of FY 2015, the EPA had achieved construction completion on a large majority of NPL sites.[4]

Figure 1: Status of proposed, final and deleted NPL Superfund sites (FYs 1987–2015)



Source: OIG analysis of EPA data.

Changes in regional NPL distribution, and progress in completing cleanup at existing NPL sites can significantly change the regional need for Superfund resources.

One of the goals in the EPA Administrator's July 2017 "Superfund Task Force Recommendations" report is to expedite Superfund cleanups and remediation. This goal recognizes that re-prioritizing some resources to focus on remedial actions, construction completions, ready-for-reuse determinations, and deletions will be necessary.

[3] According to the EPA, the Federal Facilities Restoration and Reuse Office undertook a workload model analysis in FY 2014 that reviewed the distribution of FTEs for FY 2014 and projected need for FYs 2015 and 2016. Some adjustments were made to FTE allocation at that time.
[4] OLEM provided to OIG the most recent site status data for alternating years, beginning in 2005.

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Responsible Offices

The Office of Land and Emergency Management (OLEM) is responsible for the EPA's Superfund Cleanup program. The Office of the Chief Financial Officer (OCFO) determines the annual distribution of Superfund FTEs, and OLEM decides how the allocation will be made to the regions. The Office of Enforcement and Compliance Assurance is responsible for enforcement of the Superfund program.

Scope and Methodology

We conducted our work from February 2016 to July 2017. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

We interviewed EPA headquarters staff in OLEM and OCFO to understand the EPA budget cycle as it relates to FTE distribution at headquarters and the regions. We also interviewed Superfund staff in Regions 9 and 10, and the Comptroller for Region 10. We met with managers and staff from the U.S. Department of Energy and for two organizations within the U.S. Department of Defense (DoD)—the U.S. Army Corps of Engineers (USACE) and the Naval Facilities Engineering Command (NAVFAC)—to obtain information on how they prioritize the cleanup of sites and distribute FTEs. We met with USACE and NAVFAC because they are other federal agencies that perform hazardous site cleanups.

We analyzed national Superfund data, including the remedial investigation/ feasibility study, remedial design and remedial action starts and completions, time charging data from Compass Financials, and data on site status. We performed analysis on data provided by Regions 9 and 10 on Superfund sites impacted by the allocation of FTEs, and on data provided by the Office of Enforcement and Compliance Assurance. We reviewed documents including Office of Management and Budget circulars, National Program Manager Guidance, the National Contingency Plan, and OCFO Funds Control Manual. We also reviewed 32 CFR § 179.1, which directs the DoD to assign a relative priority for response activities at sites.

We conducted an online survey of the EPA's Superfund Regional Directors for all 10 regions in August 2016, which addressed three areas: workload, FTE distribution and Superfund site work prioritization. We received responses from all 10 regions—a response rate of 100 percent.

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Chapter 2
Superfund FTEs Are Not Distributed Nationally Based on Workload or National Priorities

The distribution of Superfund FTEs among EPA regions does not support the current regional workload. As a result, some regions have had to prioritize work and have had to slow down, discontinue or not start cleanup work due to a lack of FTEs. The EPA's Superfund program has generally not changed the national FTE distribution in 30 years because it believes redistribution would cause a disruption of work and there is a general management unwillingness to redistribute FTEs. Some sites where work has slowed down or been discontinued do not have "human exposure under control" or "groundwater migration under control." Other impacts include loss of subsistence fishing and human health exposure to chemicals such as lead and mercury.

Other federal organizations that perform similar site cleanups demonstrate opportunities for the EPA to align its workload prioritization and FTE distribution according to a national risk-based prioritization structure. For example, two DoD organizations—the USACE and NAVFAC—require, pursuant to DoD regulations, prioritization of sites based on risk and other factors. According to the DoD, funds that support FTEs are distributed nationwide according to the highest prioritized sites.

Lack of Management Will and Potential Short-Term Disruption Deter Distribution by Workload

We spoke to directors in OLEM's Office of Superfund Remediation and Technology Innovation, and they acknowledged that Superfund FTEs are not distributed consistent with current workload. Since 1987—30 years ago—only marginal adjustments in FTEs have been made, and those adjustments were not based on workload. One OLEM director noted that how FTEs are distributed is influenced by the EPA's OCFO and Office of Administration and Resources Management, and is a top-down allocation of FTEs.

Agency officials said that management lacks the will to shift FTEs between regions annually. Rebalancing resources through such shifts is believed to cause substantial short-term disruption of program outputs. As a result, OLEM has opted to retain the current distribution year to year. OLEM directors and staff also said there are complexities to changing the FTE distribution process. Regions know what resources they need but it is difficult to plan for what they will need because there is no formal process within the budget cycle where workload is taken into consideration.

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Site Cleanup Work Impacted by Current Distribution of Superfund FTEs

Due to declining FTEs and the frozen distribution of FTEs since 1987, some regions have had to stop or slow down cleanup work at sites. For example, in 2011, Region 10 used the criteria from the National Risk-Based Priority Panel (NRBPP) to prioritize its sites and, due to lack of resources, the region either discontinued or slowed work at 49 Superfund sites. In 2016, Region 10 had not assigned staff at 34 sites or portions of sites.[5] Of these 34 sites, 16 are currently on the NPL, 10 have Native American interest, and two are megasites.[6] Four of the sites show the status of the performance measure as "human exposure is not under control," and three sites show the performance measure as "groundwater migration is not under control."[7]

Cleanup Slowed by Lack of FTEs
Region 10
Lower Duwamish Waterway, Seattle, Washington

This site is considered "Human Exposure Is Not Under Control" because sediment and tissue data samples have shown that eating certain fish and shellfish from the river may result in unacceptable exposures to humans. It is estimated that a population of 5,208 people are potentially impacted at this site. The contaminants in the waterway sediments include polychlorinated biphenyls (PCBs), polyaromatic hydrocarbons (PAHs), arsenic, and dioxins/furans. The Washington Department of Health has posted and publicized fishing advisories, but people are still harvesting and eating bottom fish and shellfish from the river. According to Region 10 management, the lack of FTEs has slowed progress at this site.

Similarly, Region 9 had 14 NPL sites impacted by lack of resources and frozen FTEs, wherein sites needed to be placed on hold or had project delays.

Our survey asked regions if they had work they have not been able to start or had to discontinue due to lack of FTEs in FYs 2015 and 2016. Six regions answered "Yes" (Regions 1, 3, 6, 8, 9 and 10) and four answered "No" (Regions 2, 4, 5 and 7). One of the regions that responded "No" qualified its response to say that it has had to slow work at some sites and may manage sites with insufficient FTEs. Specifically, the region stated in the survey:

> While we indicated that no work has been discontinued due to a lack of FTE, this should not be construed as an indication that site work is adequately covered. It is important to know how we distribute work within the region. We assign ALL sites to a project manager regardless of how many FTE we have. This means that our project managers are loaded up with multiple sites at the same

[5] Region 10 has work at 34 sites but does not have enough staff to complete all of this work at this time. For example, while there is a remedial project manager assigned to the Lower Duwamish Waterway Superfund site, the work at this site exceeds the number of staff needed to complete it at this time.
[6] A *megasite* is a potentially complex and expensive contaminated sediment and mining site where the total cost of cleanup equals or exceeds $50 million.
[7] "Human Exposure Is Not Under Control": Sites are assigned this category when (1) contamination has been detected at an unsafe level, and (2) a reasonable expectation exists that people may be exposed to the contamination. "Groundwater Migration Is Not Under Control": This category indicates that all information on known and reasonably expected groundwater contamination has been reviewed and the migration of contaminated groundwater is not stabilized.

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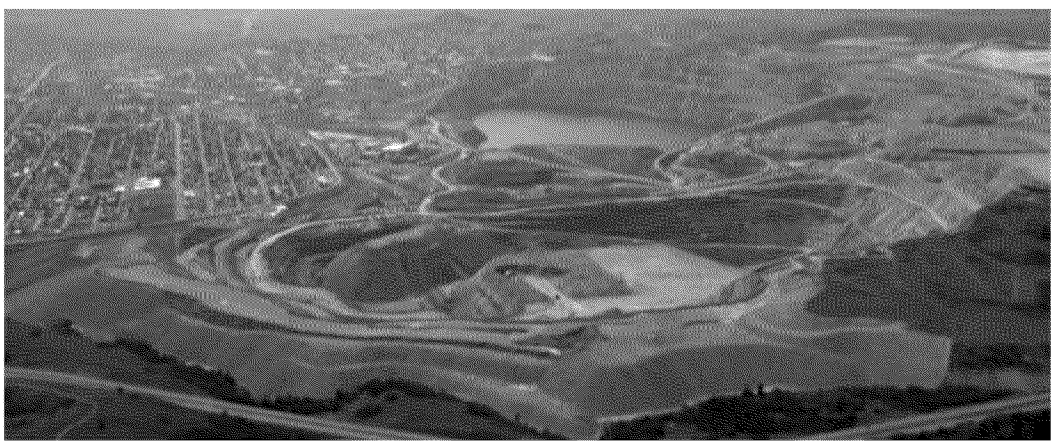
> time, which results in slower progress at some sites. We continuously emphasize the priority of high risk site work, so sites that are lower risk will progress at a slower pace (but they won't be stopped altogether). Project managers, in consultation with their supervisors, are constantly evaluating and adjusting priorities in order to distribute their time to the highest priority. Additional FTE in the program would alleviate this burden and would certainly accelerate progress at our sites.

Region 8 stated in its survey response that it had site work it could not start due to lack of FTEs at the Silver Bow Creek/Butte Area NPL site in Butte, Montana. Specifically, work is currently delayed at the West Side Soils Operable Unit (OU13), which includes the mining-impacted areas in and around the city. For the site, potential health threats include direct contact with and ingestion of contaminated soil, surface water and groundwater; and inhaling contaminated soil. Contaminants of concern include arsenic, cadmium, copper, lead and zinc. The EPA reports that it has insufficient data to determine whether human exposure is under control, and the site is not ready for anticipated use. Region 8 also added that other sites could be advancing more quickly through the NPL process if they had additional regional project manager FTEs to assist in the work.



A portion of the Silver Bow Creek/Butte Area Superfund site. (EPA photo)

EPA Does Not Nationally Prioritize All Sites and Distribute FTEs Accordingly

The EPA does not nationally prioritize all of its Superfund-financed work according to a "worst first" method. The EPA nationally prioritizes the funding of new Superfund-financed remedial action and high-cost removal action starts using its NRBPP. However, the EPA does not distribute the FTEs required to support the priorities identified by the NRBPP. According to the OIG survey results, in addition to the NRBPP prioritization, some regions also prioritize remedial and removal work. However, FTEs are allocated separately from national risk-based prioritization of work and other factors impacting cleanups.

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NRBPP Prioritizes Sites Without Corresponding Shift in FTE Distribution

In 1995, amid severe budget reductions, the EPA moved away from regional prioritization to a national prioritization system for all high-cost removals and new start remedial action projects. The NRBPP uses five criteria and associated weighting factors to compare projects, as shown in Figure 2. Each region sends its priority projects to be compared and ranked against priority projects from other regions.

Figure 2: National risk-based priority panel criteria

1. **Risks to human population exposed:** Population size, proximity to contaminants, likelihood of exposure.
2. **Stability:** Mobility of contaminant, site structure, and effectiveness of any institutional or physical controls.
3. **Contaminant characteristics:** Concentration, toxicity and volume.
4. **Threat to a significant environment:** Endangered species or their critical habitats, sensitive environmental areas.
5. **Program measurement consideration:** Innovative technologies, cost delays, high profile projects, environmental justice, state involvement, Brownfields/economic redevelopment.

Source: EPA's Superfund National Risk-Based Priority Panel website.

EPA Regions Inconsistently Prioritize Remaining Work, but Allocate FTEs According to the Regional Priorities

According to some regional survey responses, Superfund FTEs are prioritized regionally to address work that has the most potential negative impacts on human health and the environment. The OIG survey asked regions if they use a formal process to prioritize Superfund site work. Nine of 10 regions[8] responded that they use a formal process for site prioritization other than the hazard ranking system. Regions listed different processes they use to prioritize Superfund site work. These included: site management meetings; national review of best practices; National Prioritization Panel and Remedial Action Prioritization Panel;[9] National Contingency Plan 300.405, 300.410 and 300.415; Superfund Enterprise Management System; meetings with states; annual work planning template; Government Performance and Results Act and Superfund Comprehensive Accomplishment Plan targets; and response prioritization criteria and remedial prioritization criteria.

[8] One region responded that it did not use a formal process to prioritize Superfund site work (other than the hazard ranking index).
[9] According to OLEM, the regions were referring to the NRBPP when they responded with "National Prioritization Panel" and "Remedial Action Prioritization Panel."

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At least one region is prioritizing site work in an attempt to address higher-priority sites with decreasing funds and FTEs. Region 10 uses a ranking process that captures the same criteria that the NRBPP uses, except that the region has an additional criterion—the addition of new work (e.g., starting a new remedial investigation/feasibility study versus completing construction, post-construction work).

Practices Used by Other Federal Departments Could Be Beneficial

The DoD has regulations that require national prioritization of sites for cleanup under their jurisdiction. Once the sites are prioritized, the agencies distribute resources needed to the highest-priority sites. USACE and NAVFAC manage fluctuations in resources between their regions by conducting long-term planning. OLEM officials acknowledge that long-term planning has been a challenge in the Superfund program and, instead, the EPA uses an annualized process. Conversely, most EPA regions have methods and criteria for prioritizing types of site work, but the EPA does not allocate FTEs based on workload.

In the FY 2002 National Defense Authorization Act, Congress directed the DoD to develop a protocol for assigning a relative priority for response actions conducted by the DoD on defense sites. The DoD issued 32 CFR Section 179.1, which:

> require[s] that the Department assign to each defense site in the inventory… a relative priority for response activities based on the overall conditions at each location and taking into consideration various factors related to safety and environmental hazards.

In accordance with DoD Manual 4715.20, USACE and NAVFAC prioritize all sites based on "worst first," meaning that each agency "address[es] sites that pose a relatively greater potential risk to public safety, human health, and the environment before sites posing a lesser risk." These agencies use a relative risk site evaluation or other risk evaluation criteria to prioritize the sites nationally. Pursuant to 32 CFR Section 179.7 and DoD Manual 4715.20, USACE and NAVFAC "sequence" funding of the actions—such as remedial actions, preliminary assessment, etc.—based primarily on the national risk-based workload. Other factors, such as state input and environmental justice concerns, may also be considered in sequencing action funding. According to the DoD, FTEs are then distributed based on the prioritized, funded actions. USACE and NAVFAC conduct long-term planning for site cleanups, including the cost of staff. The long-term planning may help address impacts from tight fiscal constraints, future challenges and evolving requirements. Emergency work is exempt from the national ranking.

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Conclusion

The distribution of Superfund FTEs does not support, and is not aligned with, current regional workload. With decreasing budgets and FTEs, it is imperative that the EPA understands Superfund risks, prioritizes them, and distributes its FTEs in a manner that sufficiently addresses risks. The EPA should examine the feasibility of adopting the USACE's and NAVFAC's workload management and FTE distribution practices. The EPA needs to collect and analyze risk-based workload data from the regions and incorporate the data into its budget cycle to create a distribution of FTEs to the regions based on national priorities and other factors affecting cleanups. The EPA could use the data to better ensure that the most needed cleanup work is funded, and optimize its limited resources to most effectively protect human health and the environment. Such efforts are well aligned with the EPA Administrator's emphasis on cleaning up the country's worst pollution as expeditiously and as thoroughly as possible.

Recommendations

We recommend that the Assistant Administrator for Land and Emergency Management:

1. In coordination with the Chief Financial Officer, develop and implement actions to address past obstacles that have affected the EPA's ability to make progress on the allocation of human resources. Obstacles include management's unwillingness to change its human resource allocation process and perceived short-term disruptions that would result from such a change.

2. Review the U.S. Army Corps of Engineers and Naval Facilities Engineering Command workload management and full-time equivalent distribution practices to identify those aspects that may be beneficial for the EPA to adopt.

3. Implement a national prioritization of all sites[10] including risk and other factors in the prioritization and regularly distribute regional full-time equivalents according to the national prioritization.

4. Obtain information from the regions necessary to carry out Recommendations 2 and 3.

[10] Includes all sites in the Superfund program in the pre-remedial, study, design and remedial phases of cleanup; and sites with non-time-critical removal actions. Emergency and time-critical removal actions, and federal facility sites, are excluded from the scope of this recommendation. Emergency and time-critical removal actions are excluded because they are responses that are not planned. Federal facility sites are excluded because, according to the EPA, they currently use a workload model that factors in FTEs.

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Agency Response and OIG Evaluation

OLEM's original response is in Appendix A. OLEM generally agreed that there would be benefits to a revised process for distribution of regional FTEs. OLEM also responded that due to the length and complexity of future Superfund site work in each region and the significant disruption that annual FTE realignments may result in, it supports a more measured approach to Superfund FTE allocation that applies a longer-term planning horizon. We met with OLEM staff and had subsequent communications to discuss their comments. Based on our communication, we revised Recommendations 3 and 4, and OLEM agreed to a revised corrective action plan (Appendix B). All recommendations are resolved with agreed-to actions pending.

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Status of Recommendations and Potential Monetary Benefits

RECOMMENDATIONS

Rec. No.	Page No.	Subject	Status[1]	Action Official	Planned Completion Date	Potential Monetary Benefits (in $000s)
1	9	In coordination with the Chief Financial Officer, develop and implement actions to address past obstacles that have affected the EPA's ability to make progress on the allocation of human resources. Obstacles include management's unwillingness to change its human resource allocation process and perceived short-term disruptions that would result from such a change.	R	Assistant Administrator for Land and Emergency Management	9/30/18	
2	9	Review the U.S. Army Corps of Engineers and Naval Facilities Engineering Command workload management and full-time equivalent distribution practices to identify those aspects that may be beneficial for the EPA to adopt.	R	Assistant Administrator for Land and Emergency Management	3/31/18	
3	9	Implement a national prioritization of all sites[2] including risk and other factors in the prioritization and regularly distribute regional full-time equivalents according to the national prioritization.	R	Assistant Administrator for Land and Emergency Management	9/30/18	
4	9	Obtain information from the regions necessary to carry out Recommendations 2 and 3.	R	Assistant Administrator for Land and Emergency Management	12/31/17	

1 C = Corrective action completed.
R = Recommendation resolved with corrective action pending.
U = Recommendation unresolved with resolution efforts in progress.

2 Includes all sites in the Superfund program in the pre-remedial, study, design and remedial phases of cleanup; and sites with non-time-critical removal actions. Emergency and time-critical removal actions, and federal facility sites, are excluded from the scope of this recommendation. Emergency and time-critical removal actions are excluded because they are responses that are not planned. Federal facility sites are excluded because, according to the EPA, they currently use a workload model that factors in FTEs.

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Appendix A

Agency Response to Draft Report

AUG 08 2017

MEMORANDUM

SUBJECT: Response to Office of Inspector General Draft Report No. OPE-FY16-0015 "EPA's Distribution of Superfund Human Resources Does Not Support Current Regional Workload," July 7, 2017

FROM: Barry N. Breen
Acting Assistant Administrator

TO: Carolyn Copper, Assistant Inspector General
Office of Inspector General

Thank you for the opportunity to respond to the issues and recommendations in the subject audit report. The following is a summary of our overall position, along with our position on each of the report recommendations. For those report recommendations with which we agree, we will provide corrective actions and estimated completion dates to the extent we can, following the release of the final OIG report. For your consideration, we have included a Technical Comments Attachment to supplement this response.

AGENCY'S OVERALL POSITION

The Office of Land and Emergency Management (OLEM) generally agrees that there would be benefits to a revised process for distribution of regional Full Time Equivalent (FTE) adjustments. Since an annual realignment of Superfund FTE across regions would cause disruption, it seems more effective to adopt a longer term planning horizon for FTE adjustment. The adoption of a multi-year FTE plan could allow flexibility to redistribute FTE among the regions more effectively. This plan would need to be determined among OLEM, OCFO, and the regions. Additionally, it would need to coordinate with Federal Facilities and Removal staff at headquarters and the regions, who were not interviewed in the conduct of this audit. Finally, as the OIG report points out, there are many considerations other than risk that support resource decision making including regional workload, community concerns, environmental justice, and other considerations.

Recommendation 1 encourages OLEM to work with Office of the Chief Financial Officer (OCFO) to develop and implement actions to address past obstacles that have affected EPA's ability to make progress on the allocation of human resources. OLEM will coordinate with OCFO, in coordination with the regions, to develop a multi-year regional FTE plan for the Superfund program. In FY2014, the Federal Facilities Restoration and Reuse Office (FFRRO) undertook a workload model to determine if FTE were appropriately distributed for planned

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work in the current and upcoming two fiscal years. A small number of FTE was redistributed between a few regions. Since then, FFRRO has focused on work sharing between regions, in order to respond to human resource needs in a more timely and nimble manner.

Recommendation 2 requests that EPA review the U.S. Army Corps of Engineers (USACE) and Naval Facilities Engineering Command (NAVFAC) workload management and FTE distribution practices to identify those aspects that may be beneficial for EPA to adopt. While OLEM will undertake an effort to review these practices to determine their applicability to the Superfund program, there are significant differences between EPA and DOD sites. For example, the DOD site inventory is generally fixed and EPA's continues to grow; most DOD sites have been characterized to a reasonable degree, whereas a considerable number of EPA's have not been; and, the DOD has greater ability to dispatch environmental FTE to sites and the ability to redistribute FTE at their sites which provides a flexibility to a degree that EPA does not have.

Recommendation 3 highlights the need for EPA to implement a national risk-based prioritization of all sites (which could include other factors in the prioritization) and regularly distribute regional FTE according to the national risk-based prioritization. Due to the length and complexity of future Superfund site work in each region and the significant disruption that annual FTE realignments may result in, we support a more measured approach to Superfund FTE allocation that applies a longer term planning horizon. The horizon would have to be determined between OLEM, OCFO, and the regions.

Recommendation 4 requires the EPA regions to submit to OLEM the information necessary to carry out Recommendations 2 and 3. OLEM will solicit input from OECA and the regions to respond to the OIG's recommendations.

AGENCY'S RESPONSE TO REPORT RECOMMENDATIONS

Agreements

No.	Recommendation	High-Level Intended Corrective Action(s)	Estimated Completion by Quarter and FY
1	In coordination with the Chief Financial Officer, develop and implement actions to address past obstacles that have affected the EPA's ability to make progress on the allocation of human resources.	1.1 OLEM will meet with OCFO to discuss regional FTE distribution issues for the Superfund program.	2nd quarter FY2018
		1.2 OLEM will partner with OCFO to develop a multi-year regional FTE distribution plan for the Superfund program.	4th quarter FY2018

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2	Review the U.S. Army Corps of Engineers and Naval Facilities Engineering Command workload management and full-time equivalent distribution practices to identify those aspects that may be beneficial for the EPA to adopt.	2.1 OLEM will review the USACE and Naval Facilities Engineering Command workload management and full-time equivalent distribution practices to determine their applicability to the Superfund program.	2nd quarter FY2018
3	Implement a national risk-based prioritization of all sites (which could include other factors in the prioritization) and regularly distribute regional full-time equivalents according to the national risk-based prioritization.	3.1 OLEM will work with OECA, OCFO and the regions to develop a multi-year regional FTE distribution plan for the Superfund program.	4th quarter FY2018
4	Require the EPA regions to submit to OLEM the information necessary to carry out Recommendations 2 and 3.	4.1 OLEM will solicit input from OECA, OCFO and the regions to respond to the OIG's recommendations.	1st quarter FY2018

If you have any questions regarding this response, please contact Art Flaks, in OLEM's Office of Superfund Remedial and Technology Innovation, at (703)-603-9088.

Attachment
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Appendix B

Revised Recommendations and Agreed-To Agency Corrective Actions

AUG 25 2017

No.	Recommendation	High-Level Intended Corrective Action(s)	Estimated Completion by Quarter and FY
1	In coordination with the Chief Financial Officer, develop and implement actions to address past obstacles that have affected the EPA's ability to make progress on the allocation of human resources.	1.1 OLEM will meet with OCFO to discuss regional FTE distribution issues for the Superfund program to develop and implement actions to address past obstacles that have affected the EPA's ability to make progress on the allocation of human resources.	2nd quarter FY2018
		1.2 OLEM will partner with OCFO to develop a multi-year regional FTE distribution plan for the Superfund program to facilitate EPA's ability to make progress on the allocation of human resources.	4th quarter FY2018
2	Review the U.S. Army Corps of Engineers and Naval Facilities Engineering Command workload management and full-time equivalent distribution practices to identify those aspects that may be beneficial for the EPA to adopt.	2.1 OLEM will review the USACE and Naval Facilities Engineering Command workload management and full-time equivalent distribution practices to determine their applicability to the Superfund program.	2nd quarter FY2018

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3	Implement a national prioritization of all sites[10] including risk and other factors in the prioritization and regularly distribute regional full-time equivalents according to the national prioritization.	3.1 OLEM will work with OECA, OCFO and the regions to develop a multi-year national FTE distribution plan for the Superfund program. Distribution of FTE will occur regularly according to the national prioritization.	4th quarter FY2018
4	Obtain information from the regions necessary to carry out Recommendations 2 and 3.	4.1 OLEM will solicit input from OECA, OCFO and the regions to respond to the OIG's recommendations and obtain information necessary to carry out Recommendations 2 and 3.	1st quarter FY2018

[10] Includes all sites in the Superfund program in the pre-remedial, study, design, and remedial phases of cleanup; and sites with non-time-critical removal actions. Emergency and time-critical removal actions, and federal facility sites, are excluded from the scope of this recommendation. Emergency and time-critical removal actions are excluded because they are responses that are not planned. Federal facility sites are excluded because, according to the EPA, they currently use a workload model that factors in FTEs.

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Appendix C

Distribution

The Administrator
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Deputy Chief of Staff for Operations
Assistant Administrator for Land and Emergency Management
Assistant Administrator for Administration and Resources Management
Chief Financial Officer
Agency Follow-Up Coordinator
General Counsel
Associate Administrator for Congressional and Intergovernmental Relations
Associate Administrator for Public Affairs
Regional Administrators, Regions 1–10
Controller, Office of the Controller, Office of the Chief Financial Officer
Deputy Controller, Office of the Controller, Office of the Chief Financial Officer
Principal Deputy Assistant Administrator, Office of Land and Emergency Management
Deputy Assistant Administrator, Office of Land and Emergency Management
Deputy Assistant Administrator, Office of Administration and Resources Management
Director of Regional Operations
Director, Office of Superfund Remediation and Technology Innovation,
    Office of Land and Emergency Management
Deputy Director, Office of Superfund Remediation and Technology Innovation,
    Office of Land and Emergency Management
Audit Follow-Up Coordinator, Office of the Administrator
Audit Follow-Up Coordinator, Office of Administration and Resources Management
Audit Follow-Up Coordinator, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of the Controller, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of Land and Emergency Management
Audit Follow-Up Coordinators, Regions 1–10

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