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ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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September 21, 2017

Mr. Alan Larsen
Counsel to the Inspector General
Office of the Inspector General
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Larsen:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Wednesday, September 6, 2017, to testify at the hearing entitled "EPA Oversight: Unimplemented Inspector General and GAO Recommendations."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Thursday, October 5, 2017. Your responses should be mailed to Ali Fulling, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to Ali.Fulling@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

Attachment—Additional Questions for the Record

The Honorable Tim Murphy

1. In its FY 2017 Management Challenges Report OIG highlighted “current audit work continues to note that EPA lacks a holistic approach to managing accountability over its contractors and ensuring personnel responsible for overseeing contractors are aware of their responsibilities.” Could you expand on this finding and inform the Committee what led OIG to include it in its latest Management Challenges Report?
2. The Committee is interested in the recommendations from OIG’s March 2016 report entitled: “Drinking Water: EPA Needs to Take Additional Steps to Ensure Small Community Water Systems Designated as Serious Violators Achieve Compliance” Our committee just reported a Safe Drinking Water Act reauthorization that placed some new requirements on small water systems. How widespread is EPA’s practice, in formal enforcement actions, of providing information regarding how noncompliant systems can access compliance assistance resources?
 - a. How much of a hindrance is this to aiding smaller systems in achieving compliance?
 - b. What is the status of EPA’s work to implement your recommendations?
3. One of the recommendations OIG made in July 2016 report entitled: “EPA Regional Offices Need to More Consistently Conduct Required Annual Reviews of Clean Water State Revolving Funds” was that EPA should “evaluate regional approaches to conducting the annual reviews of Clean Water State Revolving Fund programs, and address issues to ensure regions perform consistent reviews in accordance with the annual review guidance.” Is this same type of review and coordination needed for the Drinking Water Revolving Loan Fund as well?
 - a. What about other EPA programs?
 - b. Are there any updates that the Committee should know about with regard to EPA’s efforts?

The Honorable Michael C. Burgess

In 2015, the EPA’s OIG released its findings related to the EPA’s use of Title 42 hiring authority to fill specific positions in its Office of Research and Development (ORD). After reviewing this report, I’d like to explore its results and any action the EPA has taken in the past two years.

1. While Title 42 appointments were designed to attract specialists in specific scientific fields, the OIG report points out that 78% of the ORD’s Title 42 appointments were in management positions.
 - a. How does this compare to HHS’ use of Title 42?
 - b. Did the OIG find the ORD’s use of Title 42 in these positions to agree with the intent of the program?

2. The report also states that the EPA had no strategic plan or process to fill these positions in 2015. Has the EPA since made efforts to develop such a plan?
3. The report states that the OIG “found that ORD did not always demonstrate the need to use Title 42 to recruit or retain staff for these 19 positions to achieve the level of expertise it needed.”
 - a. How often did ORD fail to demonstrate such a need?
 - b. What is their justification for using Title 42 to hire or retain any individual if there was no such need?
4. How many current EPA employees are being paid under the Title 42 special pay program?
 - a. How many employees, new or existing, does EPA expect to be paid under the Title 42 authority during FY18?