



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

THE INSPECTOR GENERAL

DEC 06 2017

The Honorable Robert Menendez
United States Senate
Washington, D.C. 20510

Dear Senator Menendez:

Thank you for your October 23, 2017, letter requesting that the U.S. Environmental Protection Agency's (EPA's) Office of Inspector General (OIG) review the EPA's alleged suppression of science relating to the public health impacts of toxic and dangerous chemicals, the EPA's alleged deference to industry requests in the context of the EPA's rulemaking process, and the EPA's use of "Administratively Determined" hiring practices.

In determining whether the OIG can undertake requested work, initially we have to find that the matter is within our jurisdiction. Beyond that threshold question, we have to determine whether we have sufficient resources—people, time and funds—to do the project in a timely fashion and whether it would preclude our doing other crucial work. The fact is that the OIG has been funded at less than the levels we deem adequate to do all of the work that should be done, and we therefore have to make difficult decisions about whether to accept any given potential undertaking. Many of our projects are statutorily mandated, with Congress adding new mandates each session. Further, our annual work plan, which is also statutorily mandated, uses a risk-based analysis that identifies dozens of additional high-impact projects. All of this means that for every discretionary review that the OIG decides to undertake, there will be others we cannot.

Regarding your requests that the OIG review the EPA's alleged suppression of science and deference to industry requests, we have determined that these two issues are purely programmatic in nature and therefore outside of the OIG's statutory authority. Thus, we cannot undertake these specific reviews.

Regarding your request that the OIG determine whether the EPA followed applicable legal requirements when it allowed staff to be hired for "Administratively Determined" positions, the OIG will undertake an audit of the EPA's exercise of that statutory authority. We will inform you and your staff when we have completed this project.

We appreciate your interest in the work of the OIG. If you have any questions about this or any other matter, please contact Alan Larsen, Counsel to the Inspector General, at (202) 566-2391.

Sincerely,

A handwritten signature in black ink, which appears to read "Arthur A. Elkins Jr.", is written over the word "Sincerely,".

Arthur A. Elkins Jr.

cc: Scott Pruitt, Administrator, U.S. Environmental Protection Agency