



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

DEC 27 2001

OFFICE OF THE  
ADMINISTRATOR

The Honorable Wayne Allard  
United States Senate  
Washington, DC 20510-0606

Dear Senator Allard:

Thank you for your letter of December 6, 2001, inquiring about the reorganization of the U. S. Environmental Protection Agency's (EPA) National Solid and Hazardous Waste Ombudsman function. The reorganization, which will move the function from its current location in our Office of Solid Waste and Emergency Response to the EPA Office of the Inspector General, is scheduled to take place in January 2002. I can assure you that I remain committed to having a strong, credible, and independent Ombudsman function and I believe that locating the Ombudsman function in the Office of Inspector General will accomplish that goal.

As you know, this reorganization was initiated, in part, in response to the recommendations made by the General Accounting Office in its report on EPA's National and Regional Ombudsmen, issued in July 2001. In your letter, you asked that we address several questions. You will find the answers to your questions in the enclosure that accompanies this letter.

Thank you again for your inquiry regarding this important function. I share your goal of ensuring an effective, impartial, and independent Ombudsman function. If you have any additional questions or concerns, please contact me, or have your staff contact Randy Deitz of the Office of Congressional and Intergovernmental Relations at (202) 564-3683.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Christine Todd Whitman".

Christine Todd Whitman

Enclosure

## Enclosure

1. **Is it your intention that the Ombudsman will have a budget with which he may hire staff and operate an office?**

The Ombudsman function will be located under a newly created Assistant Inspector General (AIG) for Congressional and Public Liaison. The new office will consolidate all of the Office of Inspector General (OIG) public liaison activities into two major functions - - Congressional and Media Relations and the Ombudsman, which will also include the OIG's current hotline function. Within the OIG budget, the Office of Congressional and Public Liaison will have a specific allocation, consistent with budget operations for similar EPA OIG offices.

2. **Will the Ombudsman have independent hiring authority?**

The Ombudsman will be reassigned from his current non-supervisory position of Environmental Protection Specialist, GS-15, to a position in the Office of the Inspector General. Assignment of staff resources, including hiring, is a responsibility retained by each Assistant Inspector General. However, such decisions are based in large part on the advice and recommendations of senior staff or project leads, such as the Ombudsman.

3. **Does your office plan to make changes to the structure of the offices of the Regional Ombudsmen?**

At this time, no decision has been made to move EPA's Regional Ombudsmen into the OIG. One of the first steps the OIG will take, once the reorganization is effective, will be to assess the existing cases and backlog of complaints filed with the National Ombudsman, as well as the work performed by the Regional Ombudsmen. The OIG will work closely with the Regional Ombudsmen in conducting this assessment. Once completed, the OIG, consulting with the Office of Solid Waste and Emergency Response (OSWER) and with the ten EPA Regional Administrators, will make a determination about the resources needed to perform effectively all duties of the Ombudsman, and what OIG regional efforts may be needed.

4. **Will the people in these offices still hold other positions within regional EPA offices?**

The Regional Ombudsmen are regional EPA program employees who perform ombudsman work, sometimes as a collateral duty. They are not affected by this reorganization of the national ombudsman function.

5. **Shall future Ombudsman inquiries remain limited in scope to solid and hazardous waste or shall they be expanded to include other areas overseen by the Inspector General?**

As stated in my November 27, 2001 announcement of this reorganization, both the Inspector General and I are committed to addressing public concerns across the spectrum of EPA programs. Thus, the ombudsman function will become a part of a more holistic effort within the OIG to respond to citizen and community complaints. Working with the Ombudsman staff, the Inspector General will assess the demand for similar services nationwide.

**6. Will the Ombudsman have an independent role in the selection and investigation of these inquiries any longer?**

The Inspector General has the overall responsibility for the work performed by the OIG. Work prioritization involves multiple OIG offices, and no single staff member has the authority to select and prioritize their own caseload independent of all other needs. The Ombudsman will be part of one such organization that prioritizes, plans, develops, and manages OIG work. This office will be expected to receive, and initially review, public complaints regarding EPA's programs and operations. Upon completion of the preliminary review, a decision is made by the AIG, in consultation with the Ombudsman and staff, on whether the complaint and any additional evidence gathered warrants a more detailed review.

As in the past situation in OSWER, complaints received by the OIG do not necessarily result in the initiation of an assignment. In those instances where OIG preliminary work produces sufficient information to warrant a full review, the OIG will open a case. If the OIG, after consultation with senior staff or project leads, such as the ombudsman, determines a complaint does not warrant OIG review, the OIG may decide that responsibility for handling the issue rests elsewhere in the Agency and make a referral. This is the current OIG operating procedure for all public complaints. As is the case with all OIG work, the high priority assignments are provided the necessary financial and staff resources to fulfill their objective.

Congress established the EPA Inspector General to serve as an independent, impartial, and accountable source for audits, evaluations, and, where appropriate, investigations of the activities of the Agency, in an effort to prevent and detect fraud, waste, and abuse, or enhance the economy, efficiency, and effectiveness of Agency programs and operations. The integrity and quality of Agency decision-making are inextricably linked with the economy, efficiency, and effectiveness of Agency programs and operations. The OIG performs its work in accordance with established standards and procedures, reports its findings to me, as the Agency head, to Congress, and to the public. All work done by the OIG, including that of the Ombudsman, will continue to meet those high standards.