



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

AUG 01 2016

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

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EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Financial Assurance Data Quality and the Importance of
Maintaining Data in the RCRAInfo National Database

FROM: Barnes Johnson, Director
Office of Resource Conservation and Recovery

A handwritten signature in black ink that reads "Barnes Johnson".

TO: RCRA Regional Division Directors
RCRA Regional Branch Chiefs
RCRA Regional Enforcement Managers

On March 31, 2016, the Office of Inspector General (OIG) issued a Management Alert entitled, "*Significant Data Quality Deficiencies Impede EPA's Ability to Ensure Companies Can Pay for Cleanups*" (Report No. 16-P-0126). The report identified data gaps in the national systems used to track financial assurance obligations under the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) programs.

Together with the Office of Enforcement Compliance and Assurance (OECA), the Office of Land and Emergency Management (OLEM) responded to the OIG, first, by acknowledging that data gaps exist in the RCRAInfo system and, second, by committing to work with the EPA Regions and states to improve the data quality to support RCRA program and enforcement goals.

Therefore, I ask that the RCRA Division Directors and RCRA Branch Chiefs and Managers commit to overseeing the progress of improving the quality of the financial assurance data in their respective Regions. Specifically, I ask that you:

- (1) Ensure that financial assurance data are entered, updated, and maintained in alignment with EPA policy for maintaining data in RCRAInfo;
- (2) Monitor financial assurance audit reports, which my office will provide, to ensure progress is achieved in improving data quality;

- (3) Review the existing controls in state grants that relate to tangible and trackable measures for entering and maintaining data in RCRAInfo;
- (4) Champion the various activities related to sustaining high quality data in RCRAInfo. This includes supporting training for appropriate staff, prioritizing data entry and maintenance activities, and encouraging states and Regions to engage in long-term efforts to ensure data are entered, updated, and maintained.
- (5) By August 15, 2016, appoint a point of contact for your Region who is responsible for working with states, as well as my office, to improve financial assurance data quality. Please send Regional points of contact to Anna Krueger and Debbie Goodwin (see contact information at the end of this memo);
- (6) Be prepared to report progress for your Region at the next RCRA Division Directors meeting in November 2016 and at regular intervals, thereafter.

Although the responsibility for maintaining the accuracy of data in RCRAInfo primarily resides with states authorized to implement the RCRA program, it is EPA's responsibility to ensure national oversight of the program. Our data are increasingly being relied on by many stakeholders for a wide variety of purposes. It is our obligation as a national program to ensure that data collected, stored, and reported are of the utmost quality in order to support sound analyses and decisions.

I note that EPA's FY 2016-2017 National Program Manager's Guidance states that Regions should "ensure data in RCRAInfo reports reflect accurate information" and that state grant agreements mandate use of RCRAInfo and maintenance of data within the system. Further, financial assurance data elements in RCRAInfo are "mandatory." Mandatory data elements must be entered by states and Regions into RCRAInfo within 30 days of the occurrence of an activity (or within 60 days for states that have their own state data systems and must translate the information to RCRAInfo). Of course, EPA Regions and states can require more stringent timelines for entering data.

Over the coming months, ORCR will carry out efforts to improve RCRAInfo data quality by engaging Regional and state users of RCRAInfo, developing training and guidance, providing and reviewing reports of gaps in financial assurance data, and evaluating opportunities for improvements to the RCRAInfo financial assurance module. Throughout the summer and early fall, ORCR will be regularly working with Regions and states to track and share progress through multiple outlets. Furthermore, we will be assessing ways to maintain up-to-date data in the long-term.

We believe that the issue of data gaps in the RCRAInfo financial assurance module is one that can be tackled through active collaboration with the Regional and state users of RCRAInfo.

If you have any questions about this effort, you may contact Anna Krueger (krueger.anna@epa.gov, 703-347-8959) or Debbie Goodwin (goodwin.debbie@epa.gov; 703-308-7877) of my staff.

cc: Susan Shinkman