



*EPA's FY 2007
Performance and Accountability Report*

**Appendix A – Program Evaluations Completed in
FY 2007**

This document is one chapter from the "Fiscal Year 2007 Performance and Accountability Report, U.S. Environmental Protection Agency," (EPA-190-R-07-001), published on November 15, 2007. This document is available at: <http://www.epa.gov/ocfo/par/2007par>.

APPENDIX A – PROGRAM EVALUATION

EPA relies on program evaluations and analyses to inform decisions, design effective strategies, and adjust approaches to improve results. Appendix A lists and summarizes information for each program evaluation completed in FY 2007. It includes evaluations that apply to a specific goal and objective, which are presented in the *Performance Results* section. Appendix A lists evaluations by goal and objective, and provides information on the evaluator; scope of the evaluation; relevant findings; and recommendations.

Goal	Evaluation Title/Evaluator/Scope	Findings	Recommendations
1	ENERGY STAR Program Can Strengthen Controls Protecting the Integrity of the Label/U.S. EPA Office of Inspector General/The evaluation sought to determine how effectively EPA is managing the ENERGY STAR product labeling program. Specific questions were whether EPA ensures consumer product specifications are sufficient, the extent EPA verifies ENERGY STAR label is properly earned.	The criteria for revising specifications were unclear and not documented. It was not evident when or what factors would trigger a specification revision. Furthermore, EPA does not have reasonable assurance that the self-certification process is effective. EPA relies on some alternative verification mechanisms, but lacks any quality assurance or review of reported results. The Agency's verification testing also lacks a clear documented methodology governing products selected for verification tests and does not test for statistically valid results. Consequently, product efficiency and energy savings reported by manufacturers are, for the most part, unverified by EPA review. The IG found little oversight in using the ENERGY STAR label in retail stores, which is commonly the purchase point for consumers. Manufacturers may label and sell products as ENERGY STAR qualified prior to submitting test results to the Agency.	The IG recommended that EPA should strengthen management controls to protect the integrity of the ENERGY STAR label. EPA should : (1) clarify and document the criteria for product specification revisions; (2) establish a quality assurance program for its verification program; (3) improve its oversight of the ENERGY STAR label by establishing a systematic methodology and procedures for monitoring, resolving and following up on label misuse.
1	EPA's Oversight of the Vehicle Inspection and Maintenance Program Needs Improvement/U.S. EPA Office of Inspector General/The evaluation's objective was to determine whether selected Inspection and Maintenance	A nation-wide survey of all 10 regions covering 34 I/M programs indicate that EPA has not been obtaining sufficient information to ensure that states are meeting their I/M program commitments. In the last five years (1999-2004), 11 of the 34 I/M programs	Obtain and evaluate all required I/M reports to ensure that the programs are operating effectively, and follow up with States on significant issues identified. Provide more technical assistance and guidance to States, and work with State

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	(I/M) programs have been effective in identifying poorly performing vehicles, ensuring they are adequately repaired and achieving emissions reductions. Also, has EPA oversight resulted in I/M programs achieving their goals in a timely manner?	submitted timely reports, 14 programs had either never submitted the required reports or the regions were unsure whether the submission had occurred and 4 programs submitted reports 1-2 years late. The remaining 5 programs had mixed reports. Also EPA regions only audited/evaluated 9 of the 34 I/M programs and EPA reduced resources for overseeing and assisting I/M programs. As a result, EPA does not have reasonable assurance that emission reductions claimed by some I/M programs have been achieved.	I/M programs to follow up on vehicles with no known final outcome to a degree proportional with the problem. State I/M programs should share databases to help verify the outcome of vehicles that failed their I/M tests.
2	Better Enforcement Oversight Needed for Major Facilities with Water Discharge Permits in Long-Term Significant Noncompliance/U.S. EPA Office of Inspector General / The review assessed oversight of major facilities in long-term significant noncompliance (SNC) with National Pollutant Discharge Elimination (NPDES) permits. The review was conducted to determine how well EPA is ensuring timely and appropriate enforcement actions are taken against NPDES facilities in long-term SNC and what excess pollutant loads could be minimized if facilities in long-term SNC achieved compliance.	EPA did not provide effective enforcement oversight of major facilities with National Pollutant Discharge Elimination System permits in long-term significant noncompliance. While flexibility is required in a national program, EPA inconsistently applied guidance defining timely formal actions. In addition, EPA and States also did not maintain complete and accurate records of National Pollutant Discharge Elimination System compliance and enforcement activities. Many region and State files were incomplete, and data in EPA's information systems were incomplete and inaccurate. Further, regions and States did not report inspection-related violations in EPA's Permit Compliance System.	The Assistant Administrator for the Office of Enforcement and Compliance Assurance should clarify and implement guidance regarding facilities in significant noncompliance, implement a quality assurance program, and establish controls allowing EPA leadership to identify significant noncompliance by bacteria-only violators.
2	Total Maximum Daily Load Program Needs Better Data and Measures to Demonstrate Environmental Results/ U.S. EPA Office of Inspector General (OIG)/The review was conducted to	EPA does not have comprehensive information on the outcomes of the Total Maximum Daily Load (TMDL) program nationwide, nor national data on TMDL implementation activities. EPA's lack of	The OIG recommends that the Assistant Administrator for the Office of Water: (1) require EPA's Regional offices to ensure that the National TMDL Tracking System is complete; (2) report information on

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	<p>identify areas ripe for evaluation in the Total Maximum Daily Load (TMDL) program. The TMDL's program data and performance measures were the focus of this preliminary evaluation.</p>	<p>information prevents the Agency from determining if TMDL implementation activities are occurring in a timely manner, and the extent to which TMDL effluent limits are restoring impaired waters. EPA needs to provide more management direction to improve its ability to assess how well this critical program is functioning. The TMDL and surface water quality performance measures the OIG reviewed do not provide clear and complete metrics of the program's accomplishments.</p>	<p>TMDL implementation activities and on the water quality improvements associated with TMDLs; (3) clarify terminology, and activities included in TMDL development, and the surface water program's efficiency and effectiveness measures.</p>
2	<p>Great Lakes: EPA and States Have Made Progress in Implementing the BEACH Act, but Additional Actions Could Improve Public Health Protection /U.S. Government Accountability Office/The purpose was to assess: (1) the status of BEACH Act implementation by EPA, (2) the status of monitoring and notification programs developed by Great Lake states, and (3) the effect of the BEACH Act on water quality monitoring and contamination at Great Lakes beaches.</p>	<p>GAO found that EPA has taken steps to implement most of the provisions of the BEACH Act but has missed statutory deadlines for two critical requirements: (1) completing pathogen and human health studies required by 2003, and (2) publishing new or revised water quality criteria for pathogens required by 2005. Moreover, GAO believed that the formula EPA uses to distribute the BEACH Act grants does not accurately reflect the monitoring needs of the states.</p>	<p>GAO recommends that EPA distribute grant funds in a way that reflects states' monitoring needs and help states improve the consistency of their monitoring and notification activities. In addition, Congress should consider providing EPA more flexibility to allow states to use BEACH Act grants to investigate and remediate contamination sources.</p>
2	<p>Mid-cycle Review of the Office of and Research and Development's Drinking Water Research Program at the Environmental Protection Agency/EPA's Board of Scientific Counselors (BOSC)/Questions to the panel included: (1) Does the proposed structure for the revised Drinking Water Multi-year Plan (MYP) provide a</p>	<p>The Drinking Water Mid-cycle subcommittee members unanimously agree that the DWRP exceeds expectations in meeting its goals, Its science is more than competent and of high quality. Products are timely and milestones are largely met. The subcommittee is supportive and favorably impressed the the DWRP revisions of the Long-term goals (LTGs) and the formation of</p>	<p>Recommendations are to (1) finale the MYP as soon as possible; (2) pursue strategic planning on several levels, including: research prioritization; resource procurement and allocation; maintaining and promoting a leadership agenda; integration of emerging environmental concerns; (3) facilitate intra-agency communication and</p>

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	coherent framework for addressing priority research needs?; (2) How meaningful are the program's performance metrics for assessing the impacts of the program's research?; (3) What has been the progress made by the Drinking Water Research Program in moving the program forward in response to recommendations from previous comprehensive BOSC review?	5 Multi-year plan (MYP) thematic areas to direct research critical to the regulatory drivers of the LTGs. The DWRP has been very responsive to the majority of concerns and comments expressed in the 2005 BOSC program review.	evaluation; (4) Investigate, refine and apply bibliometric and client analyses and surveys.
2	EPA's Allowing States to Use Bonds to Meet Revolving Fund Match Requirements Reduces Funds Available for Water Projects/U.S. EPA Office of Inspector General/The purpose was to determine how EPA policies have impacted State Revolving Funds (SRF) and the related water infrastructure funding gap. Also, the study was to determine the financial impact of EPA's policy allowing states to use bonds repaid from SRF interest to meet the SRF match requirement.	The IG found 20 states used the match bond authority at some time during the history of the SRF program. This has reduced the total amount of funding available for water projects.	The IG recommends EPA to revise its policy allowing states to use bonds repaid from SRF to meet the match requirement.
2	Voluntary Programs Could Benefit from Internal Policy Controls and a Systematic Management Approach/U.S. EPA Office of Inspector General (OIG)/The purpose of the evaluation was to identify current voluntary program management challenges and determine whether: (1) EPA has consistent Agency-wide policies that govern voluntary	EPA has no Agency-wide policies that require voluntary programs to collect comparable data or conduct regular program evaluations. Therefore, there can be no determination of overall environmental impact. EPA lacks internal controls that outline specific ways to determine the success or failure of EPA's overall voluntary program effort. Recent changes to voluntary program definitions, thereby expanding the	The OIG recommends that the Deputy Administrator provide the Associate Administrator for the Office of Policy, Economics, and Innovation with the authority to develop, implement, and oversee mandatory Agency-wide management policies for voluntary programs. Further, those mandatory policies should implement a systematic management approach similar to a

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	<p>programs; (2) EPA's definitions of voluntary programs are understood by its staff and the public; and (3) EPA has the necessary processes to consistently develop, test, and review these programs.</p>	<p>scope of the population, has caused confusion and difficulty for EPA program offices. EPA does not have a system to develop, test, and market new programs. EPA also lacks a system to evaluate existing programs. Further, EPA lacks a systematic method to design, evaluate, and model programs that are effective at achieving environmental results.</p>	<p>research and development model, and develop specific definitions or criteria that outline the general intent and function for the groups or categories of EPA voluntary programs that are currently implemented.</p>
3	<p>Comprehensive Procurement Guidelines (CPG) Program Evaluation/OSW/MISWD/MIAB with contractor support (Indtai, Inc.)/The evaluation reports on the effectiveness of the Comprehensive Procurement Guidelines (CPG) program in: (1) promoting the use of recovered materials and recycled products in government procurement; and (2) increasing demand and expanding markets for these products. The evaluation identified what the government buys to identify gaps or potential areas for future product designation. It explored the impact CPG has had on stimulating the marketplace for a few high-profile, early-designated products, and identified factors that influenced market dynamics.</p>	<p>Overall, the CPG program has been effective at promoting the availability of recycled content products.</p>	<p>Much has changed within the Federal government and the marketplace since the program first began. Now may be the time to reconsider the role of CPG in "green procurement," waste minimization, and reduction. However more can be done by: Targeted promotion of awareness of the CPG program for Federal Agencies; reviewing and streamlining EPA's CPG database of suppliers; simplifying access and program information on CPG products; working with other Agencies to create clear priorities in procurement requirements.</p>
3	<p>EPA Has Improved Five Year Review Process for Superfund Remedies, But Further Steps Needed/U.S. EPA Office of Inspector General /The purpose of the evaluation was to</p>	<p>EPA has taken actions to improve the five-year review process, including issuing the Comprehensive Five-Year Review Guidance, providing training, and reducing the review backlog. While these actions</p>	<p>EPA should: (1) expand the scope of quality assurance reviews of five-year review reports; (2) revise guidance to clearly define short- and long-term protectiveness determinations and to</p>

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	<p>determine whether EPA has improved the quality, completeness, and timeliness of the five-year review and what impact the review process has had on remedies at Superfund sites. The IG evaluated a random sample of 39 five-year review reports issued between FYs 2002-2004</p>	<p>have resulted in improvements, EPA needs to take additional steps to better support and communicate conclusions, continue to improve review timeliness, and provide fuller assurance that cleanup actions are protective of human health and the environment. The random sample showed that 21% of the reviews did not fully support their protectiveness conclusions, 21% did not provide complete protectiveness conclusions, 21% did not have sufficient information to implement recommendations, and 23% did not meet public notification requirements.</p>	<p>include specific requirements for conducting and documenting quality assurance reviews of FYRs; (3) communicate to the regions the need for public notification for the commencement and completion of FYRs and protectiveness conclusions that address each operable unit at a site; (4) evaluate annual FYR workloads and available resources as part of the annual planning process with the regions; (5) monitor the status of FYRs and recommended corrective actions established by completed reviews using the CERCLIS module and ensure they are completed by the specified due dates; (6) Use the CERCLIS to measure the effectiveness and impacts of the FYR program, such as measuring timeliness of review, number of reviews with and without protectiveness issues, timeliness of implementing corrective actions addressing protectiveness issues and actual/potential results from implementing corrective actions.</p>
3	<p>EPA Needs to Take More Action in Implementing Alternative Approaches to Superfund Cleanups/U.S. EPA Office of Inspector General/The purpose was to evaluate EPA's Superfund Alternative approach to clean-up hazardous waste sites.</p>	<p>EPA has not implemented effective management tools or controls for the SA approach. The OIG found that EPA has not finalized the universe of SA sites, does not have controls over designating SA sites in Superfund information systems or documenting hazard assessments for SA sites, and only measures results at SA sites for one of six Superfund cleanup measures.</p>	<p>EPA should track and report cleanup progress at SA sites, and improve its communications, information, and transparency about the SA approach.</p>

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3	EPA's Management of Interim Status Permitting Needs Improvement to Ensure Continued Progress/U.S. EPA Office of Inspector General /The purpose of the evaluation was to evaluate the effectiveness of granting "interim status" in regulating hazardous waste units under RCRA and of the information management system (RCRA) in tracking permit information for interim status units.	The OIG found that Interim Status is a temporary designation, but some units have existed for as many as 25 years without formal issuance or denial of a permit, or other regulatory controls. Under the Government Performance and Results Act (GPRA), EPA has a RCRA National Permitting Goal to ensure that all units at hazardous waste facilities have "controls in place." EPA includes Interim Status units in this goal, and the Agency's data indicate that it has made progress in ensuring controls are in place at interim status units. As of 2005, EPA had attained the "controls in place" designation for 89 percent of RCRA hazardous waste facilities. However, EPA's continued progress may be compromised because (1) the Agency has not sufficiently documented some changes to the baseline it uses to measure progress; (2) EPA does not prioritize its National Permitting Goal activities according to the potential risks posed by hazardous waste facilities or units, including the amount of time a unit may have been operating without required controls; (3) EPA does not monitor the creation of "new" interim status units in its reporting and tracking system (RCRAInfo); and (4) RCRAInfo lacks other system controls to protect data integrity and data quality, which may lead to the loss of historical information needed to track permit status. Despite data quality problems, RCRAInfo data are available for public use without appropriate disclaimers.	To ensure valid progress in achieving "controls in place" at interim status units, the Assistant Administrator for Solid Waste and Emergency Response should implement a process to document changes to the GPRA National Permitting Goal baseline; review State GPRA National Permitting Goal projections for 2008 and 2011 to identify opportunities for prioritizing facilities based on risk, including time in interim status; oversee the designation of "new" interim status units in RCRAInfo; implement RCRAInfo system controls to ensure data integrity and improve data quality; and provide a disclaimer on data released publicly from RCRAInfo until data quality controls are in place.

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3	<p>Leaking Underground Storage Tanks: EPA Should Take Steps to Better Ensure the Effective Use of Public Funding for Cleanups/Government Accountability Office/In FY 2005 Congress asked GAO to conduct a study of the (1) states' estimates of the public costs to clean up known releases; (2) states' primary sources of cleanup funding; (3) federal monetary sources to address releases. GAO conducted the study from 6/2005 through 12/2006, surveying state officials responsible for the underground storage tank program, or where applicable, managers of state cleanup funds, in the 50 states and the District of Columbia. Only one state did not respond to the survey.</p>	<p>States estimated that fully cleaning up about 54,000 of the approximately 117,000 releases (leaks) known to them as of September 30, 2005, will cost about \$12 billion in public funds. EPA estimates that it costs an average of about \$125,000 to fully clean up a release. State officials said that tank owners or operators will pay to clean up about 63,000 releases. However, an unknown number of releases lack a viable owner, and the full extent of the cost to clean them up is unknown. Furthermore, 43 states expect to confirm about 16,700 new releases in the next 5 years that will require at least some public funds for cleanup. States reported that they primarily use financial assurance funds to pay the costs of cleaning up leaks. States reported that they spent an estimated \$1.032 billion from financial assurance funds to clean up tank releases in 2005. Overall, fund revenues totaled about \$1.4 billion in 2005, of which about \$1.3 billion came from state gasoline taxes. The assurance funds in the 39 states for which GAO has information held an estimated \$1.3 billion as of September 30, 2005, according to state officials. However, many states also use these funds to clean up releases from sources other than underground tanks. Several state assurance funds may lack sufficient resources to ensure timely cleanups. While EPA monitors the status of state funds, its method of monitoring the soundness of these funds has limitations. Furthermore, there are concerns that, by</p>	<p>Ensure that states verify, on a regular basis, that tank owners and operators are maintaining adequate financial responsibility coverage, as required by the Resource Conservation and Recovery Act (RCRA). Improve the Agency's oversight of the solvency of state assurance funds to ensure that they continue to provide reliable coverage for tank owners. Assess, in coordination with the states, the relative effectiveness of public and private options for financial responsibility coverage to ensure that they provide timely funding for the cleanup of releases. Better focus how EPA distributes program resources to states, including LUST Trust Fund money, by ensuring that states are reporting information in their semi-annual activity reports that is consistent with EPA definitions, encouraging states to review their databases to ensure that only data on the appropriate universe of underground storage tanks are being reported in their semi-annual activity reports, and gathering available information from states on releases attributed to tanks without a viable owner [abandoned LUST sites] and taking this information into account in distributing LUST Trust Fund money to states.</p>

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		<p>paying the bulk of the cleanup costs, state financial assurance funds may provide disincentives for tank owners—who pay only a relatively small deductible—to prevent releases. In addition to their own funds, states employ resources from the LUST Trust Fund, the primary federal source of funds for cleaning up releases from underground storage tanks. As of September 30, 2005, the fund balance was about \$2.5 billion. For fiscal year 2005, the Congress appropriated about \$70 million from the fund to help EPA and the states clean up releases and to oversee cleanup activities. EPA distributed about \$58 million of this amount to the states to investigate and clean up releases and conduct enforcement efforts, among other actions. To distribute LUST Trust Fund money among the states, EPA uses a formula that includes a base amount for each state and factors to recognize states’ needs and past cleanup performance. However, although the LUST Trust Fund provides funds to states to assist in addressing releases from tanks without a viable owner, EPA has not incorporated this factor into its formula. Furthermore, EPA’s information on states’ performance comes from state reports; however, GAO found that some of the information in these reports is inaccurate and inconsistent.</p>	
3	Strategic Agricultural Initiative Needs Revisions to Demonstrate Results/U.S. EPA Office of Inspector	The SAI program does not have performance measurement tools nor performance measures in place to	OIG recommends that EPA develop a needs assessment for the SAI program to demonstrate how it fulfills its role in

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	General (OIG) The purpose was to evaluate if EPA's Strategic Agricultural Initiative (SAI) uses performance measurement tools and efficiency measures that demonstrate results and provide for continuous program improvement.	demonstrate how it fulfills its unique role of helping growers transition away from Food Quality Protection Act high-risk pesticides or to facilitate continuous improvement. The program does not have a strategic plan or similar documents that link project mission and goals, logic model, performance measures, and the data collected by the program. Headquarters and the regions have inconsistent priorities for implementing the program. This lack of structure makes it difficult to measure and validate results. The SAI databases, which are used to gather data on project performance, lack definitions and structure, and thus contain incomplete and extraneous information.	meeting Food Quality Protection Act requirements. If the need is demonstrated, the Program Office should create a strategic plan which sets clear priorities for the direction of the program. For the SAI Projects database, the Agency should create guidance documents and establish standards and procedures for data collection and entry into these databases. SAI data and results should be accessible to grantees and other interested stakeholders.
3	Superfund's Board of Directors Need to Evaluate Actions to Improve the Superfund Program/U.S. EPA, Office of Inspector General (OIG)/The purpose of the evaluation was to determine EPA's progress in responding to three recommendations in the <i>120 Day Study</i> of the Superfund program. The OIG evaluated EPA's management controls over completing recommendations 10, 11, and 12.	The OIG found that EPA completed its work to determine the financial impact of RCRA-regulated facilities on the Superfund program. The Agency is still assessing the financial impacts of non-RCRA facilities on the program. Some of EPA's planned actions to address its <i>Study</i> recommendations were different than the actions recommended.	(1) The Superfund Board of Directors are to coordinate with appropriate lead offices to modify the <i>Study</i> Action Plan to correctly state Recommendation 10 as it appears in the final <i>Study</i> . (2) The Superfund Board of Directors are to review a sample of completed actions on the <i>Study</i> recommendations to confirm that actions are complete and responsive to the <i>Study</i> recommendation(s).
3	EPA Can Improve Its Managing of Superfund Interagency Agreements (IAG) with U.S. Army Corps of Engineers /U.S. EPA, Office of Inspector General (OIG)/The purpose of the evaluation was to answer: (1) What is the effectiveness of EPA's	OIG has found EPA needs to better justify and support its decisions to enter into Superfund IAGs with the Corps. Decision memorandums used to justify awarding Superfund IAGs to the Corps did not contain comparisons of alternatives considered, nor did EPA develop independent cost	Specific Recommendations include: (1) Require that regional offices develop an EPA independent cost estimate for the Corp's oversight of IAGs; (2) Require that regional offices conduct a cost analysis of alternatives when determining whether to award an IAG

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	<p>analysis and selection of the Corps to perform cleanup versus an EPA contractor, a State, or the Bureau of Reclamation? (2) What is the effectiveness of EPA's activity to ensure cleanups conducted by the Corps are accomplished on time, within budget, and to quality standards? The OIG reviewed and analyzed financial assurance regulations, documents, reports and data.</p>	<p>estimates. This occurred because EPA generally believes the Corps has more construction and contracting expertise to manage Superfund projects than its own personnel. The Agency has limited assurance, therefore, Superfund IAGs awarded to the Corps are based on sound decisions. EPA regions have initiated some corrective actions, but further steps are needed.</p>	<p>and evaluate the analysis against an EPA-developed cost estimate; (3) Develop a process for holding regional offices and RPMs accountable for complying with OSWER's 2003 policy for assigning remedial work, and the Office of Administration and Resources Management's (OARM) 2002 guidance to document in Decision memorandums justifications for IAGs based on an analysis of alternatives and EPA-developed cost estimates; (4) Require the Corps to improve the format of its monthly reports so that costs and activities correlate and can be clearly understood; (5) Use the Intra-governmental Payment and Collection (IPAC) system to reimburse the Corps for work accomplished under IAGs; (6) Develop a specific plan for using the \$2.5 million in Management and Support (M&S) fees held by the Corps or require the Corps to refund these fees to EPA, and continue to develop plans on an annual basis to address future fees; (7) Require future IAGs awarded to the Corps to include terms and conditions that will enable RPMs to monitor the Corps' costs, quality, and timeliness; and (8) Develop a policy on how and when the feedback reports will be used as an oversight tool to monitor and improve the cost, quality, and timeliness of the Corps' performance.</p>

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3	EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup/U.S. EPA, Office of Inspector General (OIG)/ The OIG evaluated whether EPA and Region 8 personnel developed and executed an effective cleanup process based upon federal requirements that protect human health. This evaluation was performed through interviews with EPA's OSWER staff and Region 8 personnel, and obtained documents related to the issues dated from 1990 to 2006.	(1) EPA has not completed a toxicity assessment of amphibole asbestos necessary to determine the safe level for human exposure; therefore, EPA cannot be sure that the Libby cleanup sufficiently reduces the risk that humans may become ill or, if ill already, get worse; (2) EPA's public information documents <i>Living with Vermiculite</i> and <i>Asbestos in Your Home</i> are inconsistent about safety concerns.	Recommendations include: (1) Fund and execute a comprehensive amphibole asbestos toxicity assessment (including assessment of affects of asbestos on children) to determine the effectiveness of the Libby removal actions, and to determine whether more actions are necessary. The EPA Science Advisory Board should review the toxicity assessment and report to the Office of the Administrator and the Libby Community Advisory Group whether the proposed toxicity assessment can sufficiently protect human health. (2) Review and correct any statements that cannot be supported in any documentation mailed or made available to Libby residents regarding the safety of living with or handling asbestos until EPA confirms those facts through a toxicity assessment.
4	Review of the Office of Research and Development's Safe Pesticides/ Safe Products (SP2) Research Program/EPA's Board of Scientific Counselors/This evaluation assessed the SP2 research program's relevance, structure, performance, quality, scientific leadership, coordination/communication, and outcomes.	The overall impression of the Subcommittee is that the SP2 is a very successful program. Its relevance to the Agency's mission is clear and apparent. It is well managed throughout all levels, from senior management through data collection and analysis. The SP2 Program fills a unique niche within the Agency. EPA needs more advanced scientific approaches to identify chemical risks and assess those risks, while informing risk management to reduce risks. This is a scientifically difficult task, requiring state-of-the-science solutions. SP2 is supplying these solutions. The Subcommittee believes	Follow-up recommendations resulting from this evaluation include suggestions to: Improve interaction between health scientists working under Long-Term Goals (LTGs) 1 and 2.; develop a process by which to verify/ validate methods; develop a more focused communication program to disseminate research to EPA Offices and Regions; pursue collaborative relationships to advance methods and techniques in the area of high-performance computing.

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		that the program is of great value now and will continue to be so well into the future.	
4	U.S. Chemical Safety and Hazard Investigation Board Should Track Adherence to Closed Recommendations/U.S. EPA Office of Inspector General/The purpose of the evaluation was to determine the extent to which recipients adhere to closed safety recommendations issued by the U.S. Chemical Safety and Hazard Investigation Board (CSB)	Recipients have continued to adhere to closed recommendations issued by CSB. Recipients cited various reasons for doing so. Most said they addressed closed recommendations because they made sense and it was the right thing to do. Although CSB has continued to increase its investigative productivity, it does not conduct follow-up on closed recommendations to track adherence. As a result, CSB may be unaware of whether report recipients continue to adhere to recommended safety procedures or return to prior practices.	The CSB should revise its guidance, Board Order 022, to include followup on closed recommendations and follow up on a sample of closed recommendations every 3 years and analyze whether adherence and/or recipient conditions have changed.
4	Development Growth Outpacing Progress in Watershed Efforts to Restore the Chesapeake Bay/U.S. EPA Office of Inspector General /Questions addressed: 1) Can the goals for reducing nutrient and sediment loads from developed and developing lands be accomplished and sustained to restore the ecological health of the Chesapeake Bay by 2010? 2) To what extent is EPA supporting the Chesapeake Bay Program partners in their efforts to implement and sustain load reduction practices on developed and developing lands within the watershed? 3) What challenges must be overcome to effectively implement management practices to meet and sustain reduction goals for nutrient	The OIG found that EPA and its Chesapeake Bay watershed partners will not meet load reduction goals for developed lands by 2010 as established in the Chesapeake 2000 Agreement. Developed lands contribute less than 1/3 of Bay loads but require about 2/3 of overall estimated restoration costs. Challenges impeding progress include lack of community-level loading caps; shortage of up-to-date information on development patterns; ineffective use of regulatory program to achieve reductions; limited information and guidance on planning and applying environmentally sensitive development practices; and limited funding available for costly practices.	The EPA Chesapeake Bay Program Office Director should prepare and implement a strategy to reverse the trend of increasing nutrient and sediment loads from developed and developing lands. The strategy should include a set of environmentally sensitive design practices. The Chesapeake Bay Program Office Director should also work with Bay partners to set realistic, community-level goals for reducing loads from developed and developing lands. In addition, the EPA Region 3 Water Protection Division Director should establish a stormwater permitting approach that achieves greater nutrient and sediment reductions.

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	and sediment loads from developed and developing lands within the Chesapeake Bay watershed?		
4	EPA Relying on Existing Clean Air Act Regulations to Reduce Atmospheric Deposition to the Chesapeake Bay and its Watershed/U.S. EPA Office of Inspector General/ The purpose is to determine the impact air pollution control activities have had in cleaning up the Bay.	EPA estimates that CAA regulations already issued will reduce nitrogen that falls directly into the Bay, as well as nitrogen deposited in the Bay watershed, by 19.6 million pounds annually by 2010. EPA believes these CAA-related activities will provide sufficient nitrogen deposition reduction to enable the Bay to meet its overall nitrogen cap load, assuming non-air activities achieve planned reductions. One potentially significant source of deposition not currently controlled is ammonia emissions from animal feeding operations. Many State activities being implemented to meet national air quality standards should have the co-benefit of reducing nitrogen deposition in the Bay watershed, including the adoption of legislation and/or regulations by four Chesapeake Bay watershed States that go beyond EPA's air regulations. EPA acknowledges that its goal of cleaning up the Bay by 2010 will not be met. EPA plans to meet with its Chesapeake Bay Program partners in 2007 to re-visit their strategy for cleaning up the Bay.	The EPA Region 3 Regional Administrator should instruct the Chesapeake Bay Program Office to use the results of animal feeding operations emissions monitoring studies to determine what actions and strategies are warranted to address nitrogen deposition to the Bay from such operations.
4	Federal Facilities in Chesapeake Bay Watershed Generally Comply with Major Clean Water Act Permits/U.S. EPA Office of Inspector General/The purpose of the evaluation was to determine whether federal facilities in the Chesapeake watershed are in	EPA and the States are doing well managing how major Federal facilities comply with their NPDES permits. In EPA's last reporting period (2004), major Federal facilities in the Chesapeake Bay watershed had a lower rate of Significant Noncompliance than other Federal and non-Federal major-permit	None

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	compliance with Clean Water Act permitted levels, what tools are available to identify permit noncompliance and enforce compliance, and whether EPA actions are improving compliance at these facilities.	facilities nationwide. EPA and states have a variety of formal and informal tools available to enforce federal facility compliance with NPDES permits.	
4	Saving the Chesapeake Bay Watershed Requires Better Coordination of Environmental and Agricultural Resources/U.S. EPA, Office of Inspector General	<p>Despite significant efforts to improve water quality in the Chesapeake Bay watershed, excess nutrients and sediment continue to be a problem. Improving water quality conditions in the Bay is necessary to support living resources throughout the ecosystem, which in turn supports commercial and recreational uses, such as fishing/shell fishing. EPA must improve its coordination and collaboration with its Bay partners and the agricultural community to better reduce nutrients and sediment entering the Chesapeake Bay watershed.</p> <p>USDA, a Bay partner at the Federal level, could significantly assist EPA in implementing the needed conservation practices within the agricultural community. However, USDA has not coordinated a Department-wide strategy or policy to address its commitment as a Bay partner.</p>	EPA should execute a new Memorandum of Agreement with USDA that specifically identifies tasks and timeframes for meeting mutually shared goals in the cleanup of the Bay. Further, the two agencies should agree to a method to track progress. Also, EPA, USDA, and the States, with assistance from land grant universities and agricultural organizations, should revisit State tributary strategies to ensure that an effective and cost-efficient combination of conservation practices are adopted and implemented. In addition, USDA should assign a senior level official to coordinate with EPA's Chesapeake Bay Program and review the feasibility of targeting USDA funds geographically. Although these steps will not by themselves solve the Bay's problems, they will significantly assist the Bay partners in cleaning up the Bay.
4	Taking Environmental Protection to the Next Level: An Assessment of the U.S. Environmental Services Delivery System/National Academy of Public Administration/The Chesapeake Bay clean-up approach was examined and	The report concluded that Chesapeake Bay Program had created a solid framework for restoration, but that EPA and the rest of the country needed to be aware of the increasing problems from non-point sources. The report predicts that these non-point	EPA should strengthen its position as a partnering agency for purposes of enhancing all its programs, both regulatory and non-regulatory. This is especially important for nonregulatory programs. Also, EPA should establish a

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	then compared with relevant cases elsewhere in the U.S.	source problems will overtake the gains from point and other sources within the next decade.	<p>more systematic and holistic intergovernmental approach to cleaning up the ever-increasing number of listed impaired waters throughout the nation. This approach should bring nonpoint programs up to par with point-source programs. EPA should encourage and support the intergovernmental coordinating bodies needed to ensure that regional initiatives can effectively accomplish established water pollution reduction outcomes. The Agency should preserve its commitment to scientific research and data as a basis for policymaking and evaluation. EPA should work with the state and local governments, and others, to put the financing of environmental services on a more adequate and sustainable path, by: Broadening the purposes and revenue sources of the State Revolving Fund program; developing models and guidelines for dedicated fee-based systems; providing leadership for pollution credit-trading; partnering with other federal agencies; and working with Congress. Innovative programs should be made available more quickly to policymakers, program directors, and implementation organizations. EPA should continue to improve its outcome-oriented performance management systems for inputs, outputs and outcomes provided by both traditional and non-traditional partners. EPA and</p>

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			other federal agencies should re-evaluate the alignment of partners, tools, and coordinating mechanisms within their partnership programs, using the analytical framework developed for this study.
4	Mid-Cycle Review of the Office of and Research and Development's Ecological Research Program at the Environmental Protection Agency/EPA's Board of Scientific Counselors/Questions included: (1) How responsive has the program been to recommendations from its 2005 review?; (2) Are there performance metrics the program should be using in addition to the current indicators for regularly assessing research progress; (3) what progress has the Ecological Research Program made in moving the program forward in response to recommendations from the previous comprehensive BOSC review?	A rating of "Meets Expectations" was assessed for work completed to date. ORD has met most of the goals set after the initial program review. ORD has been responsive to most of the recommendations developed during the 2005 BOSC program review and to all of the higher priority recommendations. The evolving emphasis on ecosystems services and value is appropriately laid out and justified.	Additional performance metrics should be considered to supplement the current indicators used for regularly assessing research progress. Expanded partnerships and interactions with stakeholder communities should assist emerging research on ecosystem services and related economic and human health endpoints. Achieving needed partnerships to conduct future research will come from collaborations that involve ongoing, two-way communication.
4	Mid-Cycle Review of the Office of Research and Development's Human Health Research Program/EPA's Board of Scientific Counselors/Questions to the BOSC subcommittee include: (1) How responsive has the program been to recommendations resulting from the 2005 BOSC review?; (2) How meaningful are the program's current performance metrics?; What has been the program's progress?	A rating of "Meets Expectations" was assessed for work completed to date. The Subcommittee noted that ORD invested substantial effort in assessing the BOSC comments and recommendations, revising program scope and direction, and developing point-by-point documentation of programmatic changes in response to BOSC recommendations.	Follow-up recommendations resulting from this evaluation include suggestions to: Continue to follow through on the plans and strategies that will make the Human Health Research Program a premier contributor in assessing environmental risks for human populations; develop performance-based measures that link directly to publications and measure impact of ORD's research.; develop an

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			evaluative mechanism that would allow for an assessment of how well goals have been met and appropriately document the plan in future revisions to the multiyear plan.
5	Assessment of EPA's Projected Pollutant Reductions Resulting from Enforcement Actions and Settlements/U.S. EPA Office of Inspector General (OIG)/OIG assessed: (1) the accuracy and reliability of EPA's Office of Enforcement and Compliance Assurance's (OECA) pollution reduction projections for enforcement actions and settlements, and (2) whether the reported projected pollution reductions were achieved.	The reliability of estimated pollutant reductions is dependent on the specific program in which the enforcement action takes place. Projected pollutant reductions have been or are being achieved in most of the cases reviewed. Due to the length of time needed for required corrective actions, it is not possible to make a determination in all cases. There have been improvements in the internal control process EPA uses to generate pollutant reduction estimates. The accuracy and reliability of pollutant reduction estimates have likely improved as a result of changes to EPA's quality assurance process.	None.
5	Evaluation of the Tribal General Assistance Program (GAP)/ Industrial Economics, Incorporated for EPA's Office of Environmental, Economics and Policy Innovation/The evaluation is designed to answer the following questions: (1) Is the GAP accessed by all federally-recognized tribes? If not, why?; (2) Are tribal governments using the resources provided and how?; (3) What are indicators of tribal environmental capacity?; What factors contribute to the achievement of environmental capacity and what is the impact of these factors?; (4) What	The results of this evaluation clearly establish that GAP has been effective in building the foundation of environmental capacity among tribes, defined as capability in one or more of the five indicator areas – technical, legal, enforcement, administrative, and communications. This capability, in turn, has allowed tribes to achieve an environmental presence, i.e., the ability to respond promptly and effectively to tribal environmental concerns as they arise, as the overarching indicator of environmental capacity.	Recommendations for ways EPA can enhance GAP to further support tribes' ability to establish and sustain their environmental program include: 1) consider developing a mechanism to support tribal program implementation; 2) consider working with tribes and regions to enhance administrative, legal, and enforcement capacity; 3) raise awareness of innovative environmental policy approaches to complement traditional codes and standards; 4) acknowledge cross-cultural differences, and continue working with tribes to maintain a respectful dialog; and 5) track

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	is the relative contribution of GAP toward achieving capacity; Is the GAP process providing adequate outputs to achieve tribal goals and priorities?		progress toward achievement of the new 2006-2011 strategic goals and targets.
5	Promoting Tribal Success in EPA Programs/U.S. EPA Office of Inspector General & U. S. Department of Interior (DOI), Office of Inspector General/The purpose of the evaluation was to identify positive tribal practices	The OIG found that Tribes have made progress in overcoming barriers to successful management of environmental programs. Innovation is the key for Tribes to maximize the effectiveness of their programs and overcome barriers. The 14 visited Tribes provided examples of innovative practices, including: (1) <i>Collaboration and Partnerships</i> . Many of the successful projects result from efforts to foster good communication and positive relationships with others. Tribes work cooperatively with Federal agencies, other Tribes, State and local governments, educational institutions, and the private sector. (2) <i>Education and Outreach</i> . Tribes educate the community regarding environmental programs. Further, Tribes value community input and understand that project success often depends on community support. (3) <i>Expanding Resources</i> . Based on its size, capacity, and structure, each of the visited Tribes has its own processes for finding alternative sources of revenue to ensure sustainability of natural resource and environmental programs.	To further help Tribes build on successful practices, the OIG recommends that the EPA Assistant Administrator for Water: (1) work with Tribes to promote collaboration and partnerships; (2) identify and make available relevant education and outreach materials; (3) work with Tribes to identify economic resources and funding alternatives.
5	Performance Track Could Improve Program Design and Management to Ensure Value/U.S. EPA Office of Inspector General/The purpose of the evaluation was to determine how	Performance Track did not have clear plans that connect activities with its goals, and did not include performance measures that show if it achieves anticipated results.	The OIG recommends the program: Design a comprehensive strategic plan to connect activities with goals and to encourage staff and management to focus on program goals and member

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	EPA's National Environmental Performance Track program achieves environmental goals, recognizes and encourages environmental leadership and tracks member performance.		commitments; the program should measure and report on performance related to activities and goals; maintain centralized databases for compliance screening and program member information to readily demonstrate that members meet program criteria.; encourage member facilities to set and achieve commitments so that the public has a clear idea of what results members will actually produce; include assessing member leadership in compliance and toxic releases according to program criteria.
5	Overcoming Obstacles to Measuring Compliance: Practices in Selected Agencies/U.S. EPA, Office of Inspector General (OIG)/ The purpose of the evaluation was to collect successful practices from Federal agencies similar to EPA's Office of Enforcement and Compliance Assurance (OECA) that extensively use statistical methods, including random sampling, to measure and ensure compliance and to monitor regulatory programs.	The OIG found that Federal regulatory agencies with missions and obstacles similar to EPA use statistical methods to generate compliance information. These Federal programs extensively use statistical methods to identify and analyze risk, set goals, develop strategies to manage the most significant risks, and report their accomplishments. The programs we reviewed used practical approaches to overcome similar obstacles as those in OECA, and could potentially apply to OECA's programs.	The OIG recommends the Assistant Administrator for Enforcement and Compliance Assurance establish a plan of action, with milestones, to incorporate statistical methods to demonstrate the results of EPA's enforcement and compliance strategies. Additionally, OECA can coordinate with the in-house statistical expertise in EPA's Office of Research and Development and Office of Environmental Information to help develop statistical models and evaluate external proposals.
5	Interagency Agreements to Use Other Agencies' Contracts Need Additional Oversight/U.S. EPA, Office of Inspector General (OIG)/The evaluation was to determine whether EPA effectively follows interagency	The OIG found while EPA has improved some interagency contracting processes, the Agency entered into some contracts without meeting all requirements, like without conducting cost reasonableness assessments, or identifying alternatives,	The OIG recommends the Assistant Administrator for the Office of Administration and Resources Management: <ul style="list-style-type: none"> • Provide guidance to project officers on conducting cost

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	contracting requirements by ensuring products and services meet quality, cost, and timeliness requirements.	such as determining whether EPA's in-house acquisition staff should acquire the services or products for them.	<p>reasonableness assessments and identifying alternatives before using IAG contracts.</p> <ul style="list-style-type: none"> • Strengthen training to include how to develop independent government cost estimates or other appropriate cost information, conduct cost reasonableness assessments, and identify alternatives. • Ensure that the Grants Administration Division requires that the IAG decision memorandum better explains why an IAG is more cost effective, and include an evaluation of cost reasonableness assessments in reviews.
ESP	Review of the Office of Research and Development's Science to Achieve Results (STAR) and Greater Research Opportunities (GRO) Fellowship Programs at the Environmental Protection Agency/EPA's Board of Scientific Counselors/The charge to the Subcommittee consisted of 3 specific questions concerning (1) the fellowship recipient selection process and decision criteria; (2) the utility of the fellows' research to EPA and others for decision-making and policy; (3) practices, resources and effectiveness of outreach; and (4)	Overall, the fellows funded by the STAR and GRO programs have made excellent contributions in environmental science and engineering, and a number of them continue to be employed in the environmental field in academia, consulting, and government (EPA and other agencies).	Follow-up recommendations resulting from this evaluation include suggestions to: Develop an overall information collection strategy, which includes design of an appropriate database; require fellows to submit an up-to-date resume annually for at least 5 years from the conclusion of the fellowship; consider as potential metrics as data become available: (1) the number of minority students who obtain advanced degrees in environmental disciplines; (2) the distribution or dispersion of students across eligible institutions, i.e., the

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	resources, information management, and communication processes and procedures.		concentration of fellowship recipients among colleges and universities; and (3) the number of awards to students pursuing master's degrees relative to the number of awards to students pursuing doctoral degrees; work effectively to communicate awards, results, and successes to a variety of audiences, including Congress and sponsoring institutions; consider eliminating both GRO Fellowship programs, while at the same time improving marketing of the STAR Fellowship Program to minority-serving institutions to encourage applications for graduate support from underrepresented groups.
ESP	Improved Management Practices Needed to Increase Use of Exchange Network/U.S. EPA Office of Inspector General /The evaluation is to determine: (1) what barriers prevent the National Environmental Information Exchange Network from achieving maximum usage, and steps EPA can take to overcome them; (2) if EPA has developed Network performance measures that align with its Strategic Plan; (3) how EPA could improve key system development processes for analyzing costs and ensuring Network use for new systems and upgrades; (4) how EPA could assist the Network governance bodies in accomplishing their missions.	EPA has established a partnership with the Exchange Network's governance bodies to assist them with accomplishing Network initiatives. To ensure partners fully utilize the Network EPA could: (1) improve its methods for selecting and prioritizing which data flows to implement; (2) complete measurements of Network initiatives to ensure investments are delivering expected results; (3) improve its internal system development practices to ensure EPA offices perform cost benefit analyses for new or upgraded environmental systems; and (4) strengthen its policies to define when offices should utilize the Network for receiving environmental information.	The Office of Environmental Information (OEI) should execute the Exchange Network Marketing and Communications plan and evaluate data flows for Network implementation; develop a new plan for completing the Exchange Network performance measures project; develop policies and procedures to guide program offices to use the Network and conduct Exchange Network Cost Benefit Analysis; and include the Exchange Network in the Enterprise Architecture.

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ESP	EPA Can Improve Its Oversight of Audit Follow-up/U.S. EPA Office of Inspector General/The purpose of the evaluation was to determine the status of corrective actions in response to OIG report recommendations for selected water reports, and how complete and up-to-date is the Management Audit Tracking System (MATS) for selected OIG water reports.	The Agency is generally undertaking actions for the nine water-related reports in our review— seven directed to the Office of Water (OW) and two directed to the Office of Enforcement and Compliance Assurance (OECA). However, several actions in response to individual recommendations were delayed past milestone dates agreed to by the OIG. Implications from these results and opportunities for improvement are wide spread across the Agency’s audit follow-up action process.	OW and OECA should implement EPA Order 2750 and biannually review audit management information for accuracy and completeness. Those offices should follow the certification process for closing out reports, maintain a list of corrective actions taken, and obtain OIG approval for significant changes to corrective action plans. The Chief Financial Officer should take several steps, including monitoring EPA Order 2750 compliance throughout the Agency; reporting to Congress the report names and reasons for delay past 365 days for completing corrective actions as required under EPA Order 2750 and the IG Act; and ensuring the validity and reliability of data in MATS by documenting a quality assurance plan, issuing necessary guidance, and providing refresher training to Audit Follow-up Coordinators.
ESP	EPA Needs to Strengthen Its Privacy Program Management Controls/U.S. EPA Office of Inspector General/The purpose of the evaluation was to determine what steps EPA took to protect Personally Identifiable Information (PII). The OIG investigated the extent to which EPA implemented a management structure for the Agency’s privacy program.	Although EPA has made progress toward establishing its Privacy Program, EPA needs to set up a more comprehensive management control structure to govern and oversee the program by establishing goals and activities, and measuring progress. Further, EPA needs to update its Privacy Program policies and establish processes to manage and make these policies available to responsible EPA personnel.	The Office of Environmental Information’s Director should establish goals and performance measures for the program. Further, the Director should update the Agency’s Privacy Program policies and procedures, and establish a process for managing and monitoring compliance. We also recommended that the Director work with the Office of Administration and Resources Management to develop sample cascading goals and objectives that

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			managers can use to establish Privacy Program accountability processes.
ESP	Number of and Cost to Award and Manage EPA Earmark Grants, and the Grants' Impact on the Agency's Mission/U.S. EPA Office of Inspector General/The purpose was to determine the total number and dollar amount of earmark grants, including EPA's associated costs and what impact earmarks have on advancing EPA's mission and goals.	Between January 1, 2005, and March 31, 2006, EPA awarded 444 earmark grants totaling \$454 million accounting for about 13 percent of EPA grant dollars awarded. EPA also spent about \$4.9 million to award and manage the 444 grants. The review of work plans for 86 earmark grants found that 82 were for projects aimed at contributing to EPA's Strategic Plan mission and goals. Grant work plans for the other four grants did not demonstrate how the projects would promote EPA goals.	None
ESP	Using the Program Assessment Rating Tool as a Management Control Process/U.S. EPA Office of Inspector General/The purpose of the evaluation was to examine EPA management controls by using OMB's Program Assessment Rating Tool (PART) to determine how EPA scored overall, and if there are areas that require management attention.	The OIG found that PART is a good diagnostic tool and management control process to assess program performance and focus on achieving results. However, as currently designed, programs can be rated "adequate" with a passing PART score of just 50 percent. Low passing scores heightens the risk that actual program results may not be achieved, and detracts from PART's overall focus on program results.	OMB should modify the Performance Improvement Initiative criteria to provide incentives for program managers to raise Program Results/Accountability PART scores. In addition, OMB needs to increase the transparency of PART results to demonstrate the relationship between results and the overall PART ratings. The EPA Deputy Administrator should: (1) increase the use of program evaluation to improve program performance by establishing policy/procedures requiring program evaluations of EPA's programs; (2) designate a senior Agency official responsible for conducting and supporting program evaluations; and, (3) allocate sufficient funds/resources to conduct systematic evaluations on a regular basis.

