

## New Procedures to Resolve Audits under Appeal

### Background

- September 21, 2011 the EPA Office of Inspector General issued report requiring EPA to improve timeliness for resolving audits under appeal
- December 19, 2011 EPA agreed to a correction action plan to revise EPA Manual 2570, “Audit Management” (Manual) to include procedures that address its recipient disputes resolution process

### Next Steps

- EPA will issue the revisions to the Manual by September 30, 2012
- Revise 40 CFR 31.70 and 40 CFR 30.63 in accordance with the revised Manual

### What’s New?

- Written appeals must be electronically received by the Disputes Decision Official (DDO) within 30 days of the Management Decision
  - Written extension requests (up to 30 days) must be received within these 30 days and include a justification. Acceptable justifications must describe the unusual complexity of the matter under dispute or exigent circumstances that warrant the extension.
  - Required contents of Appeal are detailed in the new procedures
  - Untimely appeals will be dismissed and the Management Decision will be final.
  - DDO will electronically confirm receipt of the appeal within 15 days in writing and may request additional information
  - Information must be provided within 30 days of the DDO’s confirmation of receipt
- The DDO’s appeal decision for the Agency will be issued electronically and by certified mail within 180 days of receiving the appeal. In the event more time is needed for the appeal decision, the DDO will notify the recipient.
- A written Request for Review of the DDO decision must be electronically received by the Review Official within 15 days of the DDO’s appeal decision issuance
  - The Review Official will electronically confirm receipt of the Request for Review within 15 days in writing
  - Required contents of the Request for Review are detailed in the new procedures
  - Untimely Requests for Reviews will be dismissed and the Appeals Decision will be final
- The Review Official will issue a Final Written Decision for the agency within 45 days of receipt of Request for Review. In the event more time is needed for the Final Written Decision, the Review Official will notify the recipient.