



At a Glance

Why We Did This Review

The U.S. Environmental Protection Agency (EPA), Office of Inspector General, received a hotline complaint alleging that an Office of Water (OW) employee interfered with a grant funded by the EPA's Office of Research and Development (ORD). ORD awarded the grant in April 2011. We reviewed complaint allegations that the OW employee: (1) asked the ORD to terminate the grant; (2) directed an EPA contractor not to publish data on mercury and selenium levels in fish; and (3) did not cooperate with the EPA grantee's request for mercury and selenium data.

The requested data were measurements of mercury and selenium in freshwater fish from locations within states that had fish-consumption advisories due to mercury contamination. We generally referred to this data as "fish contamination data." OW acquired the data through an EPA contract in 2008.

This report addresses the following EPA theme:

- *Protecting water: A precious, limited resource.*

For further information, contact our public affairs office at (202) 566-2391.

The full report is at:
www.epa.gov/oig/reports/2014/20140509-14-P-0247.pdf

EPA Employees Did Not Act Consistently With Agency Policy in Assisting an EPA Grantee

What We Found

Our findings did not substantiate a hotline complaint alleging that an OW employee asked the ORD to terminate an EPA grant, or that the OW employee directed an EPA contractor not to publish its fish-contamination data. However, we found that the OW employee and an immediate supervisor did not respond in a timely manner to the EPA grantee's requests for fish-contamination data the OW obtained from an EPA contractor in 2008. In addition, our work shows that the OW employee expressed concern to a senior OW staff member regarding ORD funding the grant. From September 2011 to May 22, 2012, the EPA grantee made eight requests seeking the fish-contamination data from the OW. However, the EPA grantee was not able to obtain the data until May 31, 2012, after the OW posted it on a public EPA website. During this period, both the OW employee and his immediate supervisor did not respond to the EPA grantee's requests because the OW was still trying to figure out what to do with the data. However, the OW did not disclose or explain the reasons for not responding. Unresponsiveness to the EPA grantee/public requests is inconsistent with the agency's *Scientific Integrity Policy*. The OW employee claimed a lack of awareness of the requirements in the policy.

Fish contamination data was withheld that could have been useful to the scientific community and the public.

We also found that the ORD project officers, despite their awareness of the problem, provided limited assistance to the EPA grantee in obtaining the requested data. We believe these actions to be inconsistent with the EPA's Assistance Administration Manual. Consequently, these EPA employees withheld for 8 months data that could have contributed to the scientific understanding of mercury and selenium interactions in fish. In addition, the 4-year delay in making the 2008 data available to the general public prevented certain states from having the opportunity to determine whether they needed to revise their advisories on fish the public could safely eat.

Recommendations and Agency Corrective Actions

We recommend that (1) the agency's Scientific Integrity Official develop standard operating procedures that detail how staff are to comply with the EPA's *Scientific Integrity Policy* requirement to provide timely responses to requests for information by the media, the public and the scientific community; and (2) the Assistant Administrator for Research and Development develop standard operating procedures to ensure that ORD staff that serve as project officers on grants are adhering to their responsibilities under the EPA's *Assistance Administration Manual*. In response to our draft report, agency action officials provided acceptable corrective actions or plans and both the recommendations are resolved. No final response to this report is required.