



At a Glance

Why We Did This Project

We conducted this audit to determine whether the U.S. Environmental Protection Agency (EPA) has a comprehensive pesticide emergency exemption approval process that maintains environmental and human health safeguards.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), all pesticides distributed and sold in the United States must be registered by the EPA for each specific use. Per Section 18 of FIFRA, the EPA can grant federal and state lead agencies the authority to approve—in certain emergency situations—the limited application of a pesticide not registered for that particular use. These short-term pesticide use approvals are called *emergency exemptions*.

This report addresses the following:

- *Ensuring the safety of chemicals.*

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Measures and Management Controls Needed to Improve EPA's Pesticide Emergency Exemption Process

What We Found

The EPA's Office of Pesticide Programs (OPP) does not have outcome measures in place to determine how well the emergency exemption process maintains human health and environmental safeguards. The program office also does not have comprehensive internal controls to manage the emergency exemption data it collects. Finally, the OPP does not consistently communicate emergency exemption information with its stakeholders.

The EPA needs outcome measures to demonstrate the benefits or risks of pesticide emergency exemptions on human health and the environment.

Specifically, we found that the OPP collects human health and environmental data through its emergency exemption application process, including the total acres affected, the proposed and actual quantities of the exempted pesticide applied, and the estimated economic losses. Yet, we found that the OPP does not use these data to support outcome-based performance measures that capture the scope of each exemption or to measure the potential benefits or risks of each exemption.

We also found significant deficiencies in the OPP's online database management, in its draft Section 18 emergency exemption standard operating procedure and application checklist, and in its reports to Congress and the Office of Management and Budget. Some state lead agencies and extension agents that we interviewed also reported that additional guidance is needed to support the preparation of emergency exemption applications, including whether data can be used from applications submitted by other state lead agencies.

Furthermore, we found that the OPP previously sent a "year in review" letter to states that summarized the emergency exemption activity for that year and provided additional information regarding the emergency exemption process. However, the OPP has not sent this letter since 2015.

Recommendations and Planned Agency Corrective Actions

We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop outcome-based performance measures; develop or update procedures on data collection, database management and the re-use of data submitted by state lead agencies; and communicate changes to the emergency exemption processes in a timely manner. Of our eight recommendations, the EPA agreed with four, neither agreed nor disagreed with two, and disagreed with two. For three recommendations, the agency proposed corrective actions that meet the intent of the recommendations. The remaining five recommendations are unresolved.