



Welcome to the CLU-IN Internet Seminar!

Federal Facilities Online Academy: Federal Facility Five-Year Review

*Live Webinar: Wednesday, May 13, 2026, 1:00PM-3:00PM EDT
(17:00-19:00 UTC)*

Sponsored by: US EPA Office of Superfund and Emergency Management (OSEM)

Instructors:

- Haylie Pryson, U.S. EPA OSEM (pryson.haylie@epa.gov)
- Jennifer (Jenn) Edwards, U.S. EPA OSEM (Edwards.Jennifer@epa.gov)
- Jana Dawson, U.S. EPA Region 4 (Dawson.Jana@epa.gov)

Moderators:

- John Davis Reynolds Jr., U.S. EPA Office of Superfund and Emergency Management (OSEM) (Reynolds.John.D@epa.gov)
- Ray Ledbetter, U.S. EPA Office of Superfund and Emergency Management (OSEM) (Ledbetter.Ray@epa.gov)
- Shelly Norland, U.S. EPA Office of Superfund and Emergency Management (OSEM) (Norland.Shelly@epa.gov)

Scan me



Seminar Homepage

<https://www.clu-in.org/conf/tio/FFAcademy1/>

Training & Events
Upcoming Webinars
Archived Webinars & Podcasts
Help & FAQs
My Participation Records
The Training Exchange (Trainex)
Upcoming Courses and Conferences

Federal Facilities Online Academy: Federal Facility Five-Year Review

*Live Webinar: Wednesday, May 13, 2026,
1:00PM-3:00PM EDT (17:00-19:00 UTC)*

Sponsored by: U.S. EPA Office of Superfund and Emergency Management (OSEM)

[Register for Live Webinar](#)

Can't make the live webinar?

[Get Notified When Archive is Available](#)

Description

Federal Facility Five-Year Review Webinar is a two-hour webinar course that provides an overview of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) five-year reviews. By taking this course, participants will achieve the following objectives:

- Understand Five-Year Review purpose and regulatory context
- Learn how to prepare and conduct a five-year review
- Identify the information and data needed to support a protectiveness statement
- Address emerging contaminants and options available to ensure that the federal agencies address these contaminants
- Identify the different scenarios when EPA makes an independent finding of the protectiveness of the remedy
- Learn about similarities and differences between federal and private site five-year reviews

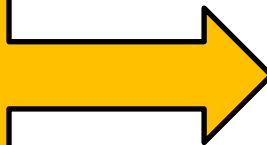
The instructional methodology for this course includes lecture, case studies, and quizzes. There will also be an opportunity for participants to ask questions. The target audience for this course are federal, state, and tribal representatives who work on Federal Facility cleanups. Ideally, students should have a basic understanding of the CERCLA process. This course is part of the Federal Facilities Academy training program. Please consider registering for other Federal Facility Academy courses and obtain a certificate upon completion of the entire Federal Facility Academy series (12 courses total).

Presenters & Moderators	+
Webinar Slides and References	+
Related Links	+
Feedback Form	+
Tips, Questions, and Support	+
Accessibility, Recording, and Content Disclaimer	+

Scan me

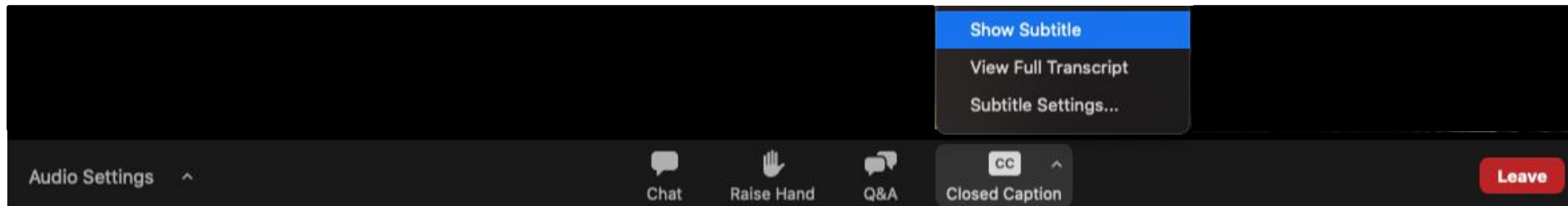


Presentation materials are posted here



Housekeeping

- Join us live via Zoom (use Zoom app or browser)
 - *Some materials may be available to download in advance, you are **recommended to participate live via the online broadcast***
- Audio is available online with your device or by telephone
 - All participants are muted
 - Check your local volume settings to adjust audio
- Q&A – use the Q&A pod to submit comments, questions and report technical problems
 - You may request to verbally share thoughts with device mic (raise hand) or telephone (*9)
- Closed captioning is available



- This event is being recorded and shared via email shortly after live delivery
- Important reminders will be covered at the end

Enlarge presentation

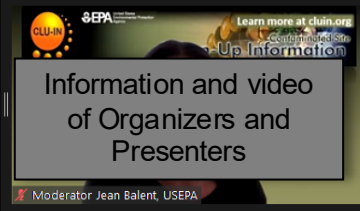


Clean-Up Information

Contaminated Site

View presentation live online here

Instructor
• Name
Moderator
• Name



Control audio

Audio Settings ^

Visit the Clean Up Information Network online at www.cluin.org

Live Closed Captioning

Chat Raise Hand Q&A Live Transcript

Submit messages or report technical problems

Question and Answer

Welcome to Q&A
Questions you ask will show up here. Only host and panelists will be able to see all questions.

Type your question here...

Send anonymously

DISCLAIMER

Notice: This presentation has been provided as part of a U.S. Environmental Protection Agency webinar. The document does not constitute EPA policy. Mention of trade names or commercial products does not constitute endorsement or recommendation for use. Links to non-EPA web sites do not imply any official EPA endorsement of or a responsibility for the opinions, ideas, data, or products presented at those locations or guarantee the validity of the information provided. Links to non-EPA servers are provided solely as a pointer to information that might be useful to EPA staff and the public.

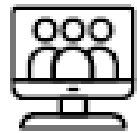
Disclaimer



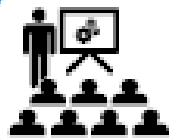


US. EPA Federal Facilities (FF) Academy

The FF Academy is a voluntary training program developed for EPA RPMs, project managers from other federal agencies, State government, and Tribal groups who work on federal facility Superfund cleanups.



12 Courses Total



**11 Webinars and a
3-day classroom
training***



**Receive a certificate
of completion**

- *Military Munitions Policy Overview - February 25, 2026*
- *Record of Decision (RODs) and More at Federal Facilities - March 25, 2026*
- *Community Involvement at Federal Facilities - April 22, 2026*
- **Federal Facility Five-Year Review - May 13, 2026**
- *Resolving Issues before Formal Dispute - June 10, 2026*
- *Land Use and Onsite/Offsite Determinations - July 22, 2026*
- *Groundwater Policy Overview - August 26, 2026*
- *RCRA/CERCLA Integration - September 23, 2026*
- *Role of Superfund Performance Measures - October 28, 2026*
- *Coordinating with Tribes at Federal Facilities - November 18, 2026*
- *Determining Applicable or Relevant and Appropriate Requirements (ARARs) in RODs - December 2, 2026*

Register for Courses at <https://www.trainex.org/FFacademy>

Participation and Credit

- Series includes 11 online webinars (open to public) and 1 classroom delivery (limited audience)

Online Webinars

Participate:

- Live online
- Replay archived version



Open to Public

In Person Classroom Training

Participate:

- Attend in Person



Open to EPA, States, Tribes and other Federal Agencies



Contaminated Site Clean-Up Information

www.cluin.org

FEDERAL FACILITY RPM

Hosted by U.S. EPA
Office of Superfund and Emergency Management

Federal Facility RPM is geared toward EPA Federal Facility (FF) Remedial Project Managers (RPMs) to facilitate an understanding of the unique aspects of the FF RPM role. The course highlights how FF RPM responsibilities differ from EPA RPM. Participants explore the history and complexity of legacy Department of Defense (DOD) and Department of Energy (DOE) sites, gain exposure to the institutional knowledge of experienced FF RPMs, and review sites unique to Federal Facilities.

Course Objectives:

- Discuss and examine best practices for managing the unique circumstances at Federal Facility National Priority List (NPL) sites.
- Identify the programmatic differences between Federal Facility and private and Fund-financed Superfund sites.
- Discuss the Federal Facility Agreement (FFA), including negotiating and implementing its provisions.
- Evaluate the unique technical and management issues presented by Federal Facilities.
- Discuss current issues associated with emerging contaminants that may be present at Federal Facilities.
- Obtain valuable materials and references for managing a Federal Facility NPL site.

The Federal Facility RPM course is tailored for EPA FF RPMs across all experience levels. However, those with one to two years of experience who have completed the Fundamentals of Superfund and Remedial Process Training will be valuable to other EPA RPMs, DOD/DOE RPMs, EPA Resource Conservation and Recovery Act (RCRA) personnel, state personnel, and tribal RPMs and managers involved in managing Federal Facilities.

This course is offered free of charge to all registrants who are confirmed to attend.

Important Notice: Due to the content presented during a CEC course and the restrictions in place for non-citizens to enter federal buildings, international attendees are not permitted to attend CEC courses.

Important Notice: Due to the content presented during a CEC course and the restrictions in place for non-citizens to enter federal buildings, international attendees are not permitted to attend CEC courses.

For general information contact CEC Registrar via e-mail at cec-registrar@emsus.com

Upcoming Events

- San Francisco, CA
August 18, 2026 - August 20, 2026

[Details and Registration](#)

LIVE ONLINE FEDERAL FACILITY RPM

Hosted by U.S. EPA
Office of Superfund and Emergency Management

Live Online Federal Facility RPM, a 3-day training course, is geared toward Federal Facility (FF) Remedial Project Managers (RPM) to facilitate an understanding of how the FF RPM role, responsibilities and authorities differ from a private or Fund-financed Superfund EPA RPM. By taking this course, participants will:

- Discuss and examine best practices for managing the unique circumstances Federal Facility National Priority List (NPL) sites present.
- Be exposed to the institutional knowledge of experienced FF RPMs and cover the history of the FF program and complexity of legacy DOD and DOE sites.
- Review the statutory and regulatory authorities, executive orders and policy and guidance that are important to Federal Facilities.
- Examine the programmatic organization unique to Federal Facilities and identify the programmatic differences between Federal Facility and private and Fund-financed Superfund sites.
- Discuss in detail the Federal Facility Agreement (FFA), including negotiating and implementing the provisions of the FFA.
- Examine and evaluate the unique technical and management issues presented by Federal Facilities.
- Discuss current issues associated with emerging contaminants that may be present at Federal Facilities.
- Obtain valuable materials and references for managing a Federal Facility NPL site.

This course is specifically designed for EPA FF RPMs of all experience levels, however State and Tribal stakeholders may also benefit from the course. Participants with one to two years of experience with the Superfund Program may derive the most benefit. **THIS DELIVERY IS ONLY OPEN TO EPA STAFF AS WELL AS STATE AND TRIBAL HAZARDOUS WASTE PROFESSIONALS. PRIORITY WILL BE GIVEN TO EPA FF RPMs.**

The format of the course includes lecture, facilitated discussion, case study review, situational training with exercises, and use of multiple media. Short tests will be given at the end of each module to assess whether training objectives are met.

This course is offered free of charge to all registrants who are confirmed to attend.

Important Notice: Due to the content presented during a CEC course and the restrictions in place for non-citizens to enter federal buildings, international attendees are not permitted to attend CEC courses.

For general information contact CEC Registrar via e-mail at cec-registrar@emsus.com

Upcoming Events

- Live Online Class, Internet Based
November 3, 2026 - November 5, 2026

[Details and Registration](#)



Welcome to the CLU-IN Internet Seminar!

Federal Facilities Online Academy: Federal Facility Five-Year Review

*Live Webinar: Wednesday, May 13, 2026, 1:00PM-3:00PM EDT
(17:00-19:00 UTC)*

Sponsored by: US EPA Office of Superfund and Emergency Management (OSEM)

Instructors:

- Haylie Pryson, U.S. EPA OSEM (pryson.haylie@epa.gov)
- Jennifer (Jenn) Edwards, U.S. EPA OSEM (Edwards.Jennifer@epa.gov)
- Jana Dawson, U.S. EPA Region 4 (Dawson.Jana@epa.gov)

Moderators:

- John Davis Reynolds Jr., U.S. EPA Office of Superfund and Emergency Management (OSEM) (Reynolds.John.D@epa.gov)
- Ray Ledbetter, U.S. EPA Office of Superfund and Emergency Management (OSEM) (Ledbetter.Ray@epa.gov)
- Shelly Norland, U.S. EPA Office of Superfund and Emergency Management (OSEM) (Norland.Shelly@epa.gov)

Scan me





Federal Facility Five-Year Reviews

MAY 13, 2026

FEDERAL FACILITY SUPERFUND PROGRAM

OFFICE OF SUPERFUND AND EMERGENCY MANAGEMENT



Agenda

- Five Year Review (FYR) Purpose and Regulatory Context
- How to Review a FYR
- Community Involvement for FYRs
- Protectiveness Statements
- Case Study
- Independent Findings
- Addressing Emerging Contaminants



Group Poll

WHAT EXPERIENCES HAVE YOU
HAD WITH FIVE-YEAR REVIEWS AT
FEDERAL FACILITY SUPERFUND
SITES?

Regulatory Context

FYRs under CERCLA and NCP

- ❑ **CERCLA §121(c)** states: “If the President selects a remedial action that results in any hazardous substances, pollutants, or contaminants remaining at the site, the President shall review such remedial action no less often than each five years after the initiation of such remedial action to assure that human health and the environment are being protected by the remedial action being implemented.”
- ❑ **National Contingency Plan (NCP), 40 CFR Part 300.430(f)(4)(ii)** states:
"If a remedial action is selected that results in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, the lead agency shall review such action no less than every five years after the initiation of the selected remedial action."

Purpose of a Five-Year Review (FYR)

- ❑ A FYR should determine whether the remedy at a site is or upon completion will be protective of human health and the environment.
- ❑ Follow up actions should be identified for any recommendations to ensure protectiveness.
- ❑ Five-year Review address the following technical questions:
 - Is the remedy functioning as intended by the decision documents?
 - Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives (RAOs) used at the time of the remedy still valid?
 - Has any other information come to light that could call into question the protectiveness of the remedy?

PROTECTIVENESS



Consistent with **EO 12580**, other Federal Agencies are responsible for ensuring that FYRs are conducted at sites where required or appropriate.



For Federal Facility sites, the Lead Agency conducts the review, prepares the reports, and submits the report to EPA and the state for review and comment.

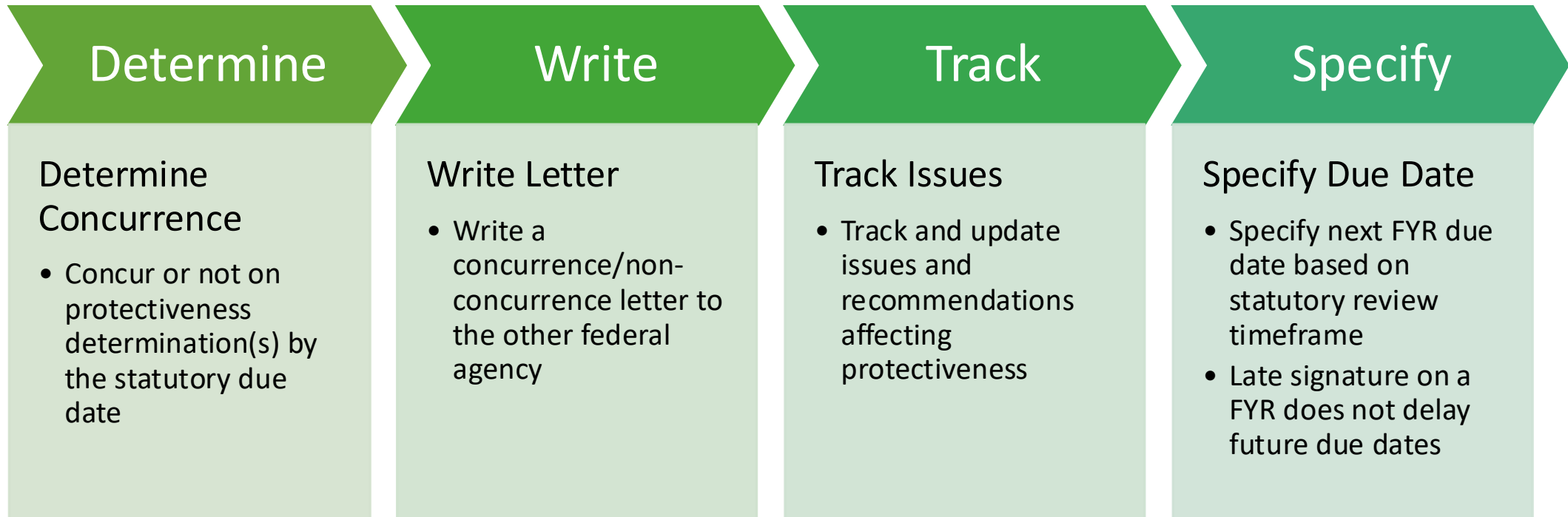
EPA will either concur with the protectiveness determination or provide independent findings.



The Lead Agency is responsible for ensuring that the recommendations and follow-up actions in the report are completed.

Federal Facility Five-Year Reviews

2011 EPA Program Priority Memo Guidance for EPA RPMs



Federal Facility Five-Year Review Process

Federal Facilities FYR Timeline



The Lead Federal Agency writes the reports



EPA's role is to either agree or issue independent finding of protectiveness by meeting the statutory deadline date



Track recommendations that affect current and future protectiveness



Report is completed once information is entered into SEMS, five days after signature



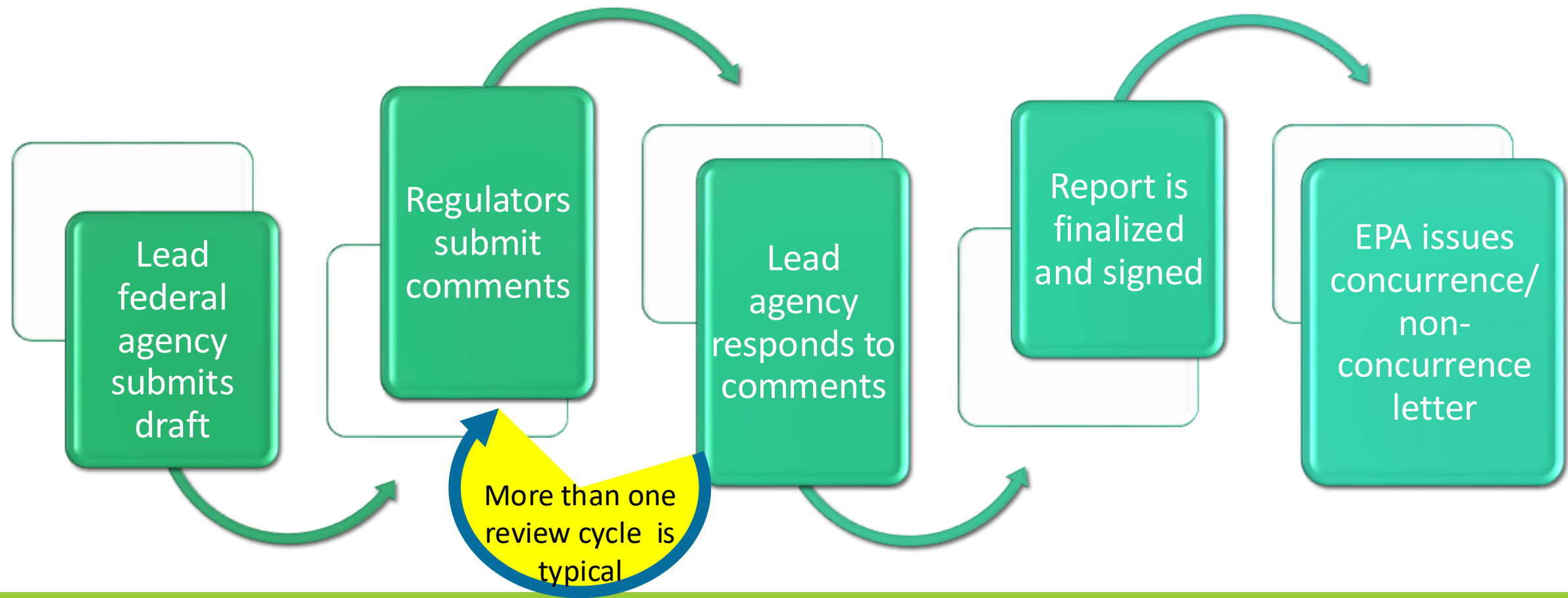
Report to Congress on the protectiveness determination and whether EPA made an independent finding and the reason why

Visit the Superfund and FFRRO FYR web pages to stay up to date on new FYR supplements, tools and resources

- <https://www.epa.gov/fedfac/five-year-review-federal-facility-cleanups>
- <https://www.epa.gov/superfund/superfund-five-year-reviews>

Check with your agency for agency-specific FYR tools and guidance documents

EPA Review and Submission Process



Preparing for a FYR



FYR team members should work together early and often to get real-time input while conducting the review and writing the report



Site teams (regulatory and lead cleanup agency) should develop a schedule to meet the statutory deadlines (12-18 months ahead of due date)



Ensure FYRs are completed for the required OUs (those OUs where a remedy has been selected)

OUs without a remedy or other activities that are included in the report do not need a protectiveness statement

OUs with a remedy but which have not initiated the remedial action do not need to be included

OU Evaluation Triggers

Trigger	Y/N	Evaluate?	Review
Is there a ROD (interim or final) for this OU?	N	N	Remedy has not been selected and an evaluation is not required
	Y	Y	Statutory review no later than five years after RA start
		Y	Policy review no later than five years after sitewide construction completion
Is there an Action Memo?	Y	Depends	Evaluate at NPL sites where no RA will occur
Does the OU meet UU/UE?	Y	N	Exceptions: <ul style="list-style-type: none"> - UU/UE for the first time, after statutory or policy triggers met - Where toxicity value changes indicate UU/UE site may no longer be UU/UE

Common EPA Comments on Federal Facility FYRs



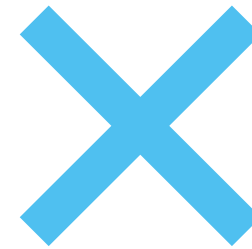
One
protectiveness
statement per
OU not issued



Protectiveness
statements
issued for OUs
that do not need
them



Protectiveness
statements not
issued for OUs
that need them,
particularly for
sites under
construction



The wrong
protectiveness
statement was
chosen



A sitewide
protectiveness
statement was
not issued
where
appropriate, or
vice versa

Common EPA Comments on Federal Facility FYRs



Reports are long and not focused on supporting the protectiveness statement(s)



Report provides insufficient support for the protectiveness statement



Technical evaluations in the reports do not link to existing RAOs or the risk basis of the ROD



Not enough information is provided to identify the status of issues being tracked from the last FYR



Reports include issues that do not affect current or future protectiveness of the remedy, such as O&M issues

HQ Role and Responsibility



May 3, 2007, Memorandum on Program Priorities

Improve the quality and consistency of reports by continuing to review 75% of draft reports

Continue training on five-year reviews during the Federal Facility RPM training and FF Academy

Follow-up with Regions on the implementation of the issues and recommendations identified in the report



May 2018 memorandum and support for the annual Report to Congress

Identify sites where EPA made an independent assessment of the protectiveness

Regions send draft concurrence letters to HQ for review

Report the protectiveness of each site

Follow-up with the Regions where a site has a “not protective” determination



HQ Review Process

- ❑ Federal Facility (FedFac) Superfund Program tracks and reviews all FF FYRs for sites on the NPL
- ❑ Review Timelines
 - FedFac Program strives to complete internal review of draft documents in **30 calendar days**
- ❑ FedFac Regional Coordinator and FYR Coordinator will review
- ❑ Forward Comments to RPM
 - Discuss and resolve concerns before RPM sends their comments to the OFA

Promoting National Consistency in FYRs

- ❑ Goal to develop recommendations that are rooted in guidance, are feasible to implement and represent best practices.
- ❑ Systematic approach to reviews
- ❑ Standard Operating Procedure (SOP) and review template used for HQ review
- ❑ Long Term Effort to analyze results of review to identify trends, gaps and refine best practices and finalize recommendations.

State Role and Responsibilities

- ❑ The State role and responsibilities are described in the “State Involvement in Five-Year Reviews at Federal Facilities, Final Report,” dated July 2018
- ❑ Resolution of State concerns:
 - NPL facilities – states should work through EPA under the FFA to resolve issues and concerns
 - Non-NPL facilities – States should first seek informal resolution; however, if that fails, States may seek dispute resolution through the Defense State Memorandum of Agreement (DSMOA)

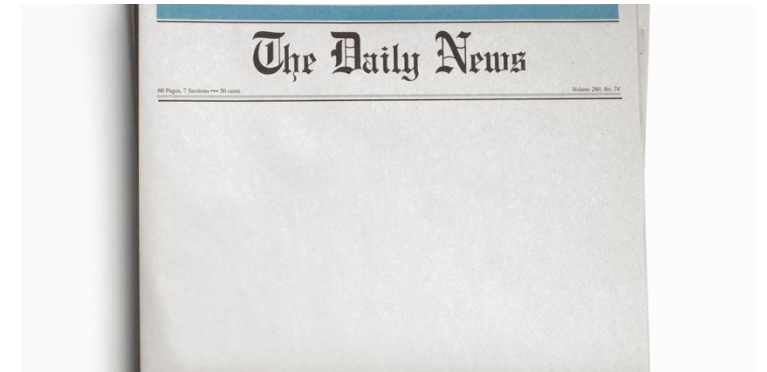
Community Involvement in FF FYRs

Getting to Know the FYR: A Guide for Communities Near Federal Facilities



FYR Community Involvement

- ❑ EPA 2001 FYR Guidance recommends, at a minimum:
 - BEFORE: Inform the community and other potentially interested parties that a FYR will be conducted
 - AFTER: Inform the community and other potentially interested parties that a FYR was conducted
- ❑ EPA Community Involvement Handbook
 - Chapter 3, Section 10 covers FYRs
- ❑ 2018 Community Involvement Toolkit – Five-Year Reviews





Consider working with the site community involvement team on a communication strategy

Community members may be interviewed for input on remedy effectiveness.



After the FYR is complete, you may:

- Prepare a brief summary of the results using a fact sheet
- Inform the community that the five-year review report is complete and available for review,
- Post the report on a site webpage, and
- Make the report and the summary available to the public in the information repository.

FYR Community Involvement



Defense Depot Memphis Third Five-Year Review Fact Sheet

What is a Five-year Review?

The purpose of a five-year review is to determine if remedies at a site are/remain protective of human health and the environment. If any issues that affect current and future protectiveness are found during the five-year review, recommendations are made to address them. The report addresses three major questions:

- Is the remedy functioning as intended?
- Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives used at the time of remedy selection still valid?
- Has any other information surfaced that could affect the protectiveness of the remedy?

Site Chronology

- **1981 – Initial Assessment Study:** Identified site hazards at exposure routes.
- **1992 – National Priorities List (NPL) Listing:** Site placed on NPL and identified as needing a long-term cleanup plan.
- **1997 – Facility Closed:** Depot received closure permits for its air, underground storage tank, stormwater discharge, and Nuclear Regulator facilities.
- **1998 – Initiation of Interim Remedial Action:** Groundwater recovery system installed at Dunn Field, this action was the trigger for the first five-year review.
- **2003 – First Five-Year Review**
- **2008 – Second Five-Year Review**
- **2012 – Sitewide Construction Complete:** Construction of remedies completed and NPL status updated to Construction Complete.

Site History

The Depot is located in Memphis, Tennessee approximately 5 miles east of the Mississippi River and just northeast of Interstate 240. The property is approximately 632 acres and includes two components: Dunn Field and the Main Installation (MI). The site is located in an area of mixed residential, commercial and industrial land use.

The Depot served as a hub for the distribution of a variety of materials to the U.S. military from 1942 until the facility was closed in 1997. Hazardous substances were also stored and disposed of on site, resulting in soil and groundwater contamination by potentially hazardous wastes, including metals, hydrocarbons, and chlorinated volatile organic compounds.

Site Map



Major Developments since Last Five-Year Review

- **Operable Unit (OU) 1/Dunn Field:** Thermal soil vapor extraction was completed in December 2008 and removed 12,500 pounds of volatile organic compounds (VOCs). From July 2007-April 2012 fluvial soil vapor extraction removed 4,045 pounds of VOCs and was shutdown in July 2012. Soil samples met the remedy goals for both systems. From November 2009-June 2012 air sparge/soil vapor extraction removed 77 pounds of VOCs. Long term monitoring of 87 wells is being conducted on a semiannual basis.
- **OUs 2-4/Main Installation:** Long-term monitoring of 112 wells is being conducted on a semiannual basis and additional wells have been installed in the fluvial, intermediate and Memphis aquifers.
- **Sitewide:** Physical construction of all soil and groundwater extraction systems was completed in May 2010 and NPL site status was revised to Construction Complete.

Issues, Follow-up Actions, and Schedule Dates

These issues do not affect current protectiveness because there is no current exposure to chemicals of concern in groundwater. They don't affect future protectiveness because the remedies have been effective in controlling groundwater contaminants.

- **Groundwater contaminants at OU 1/Dunn Field:** There is potential for rebound in groundwater concentrations of chlorinated volatile organics (CVOCs) at OU 1/Dunn Field following shut down of the fluvial soil vapor extraction system in July 2012. The air sparge/soil vapor extraction system will operate through December 2014 and long-term monitoring will continue through 2020.
- **Groundwater contaminants at OUs 2-4:** There was a rebound in groundwater CVOC concentrations above the level considered safe for consumption at the intermediate aquifer. Water from this aquifer is not used as a source of drinking water, but migration could impact the primary drinking water source for the City of Memphis. Department of the Army will restart enhanced bioremediation treatment in November 2012 and long-term monitoring will continue through 2016.

Protectiveness Summary

OU 1-4 • Protective

Sitewide • Protective

Next Five -
 Year Review • January 2018

Contact Information

All publicly available documentation including the complete five year review is located at:

<http://www.epa.gov/region4/superfund/site/fedfac/memfedrtn.html>



Protectiveness Statements

Critical Information Path

Determining protectiveness starts with considering the RAOs identified in the decision document

Remedial Action Objectives (RAOs)

```
graph TD; A[Remedial Action Objectives (RAOs)] --> B[Technical Assessment]; B --> C[Protectiveness Statement];
```

Technical Assessment

Protectiveness Statement

1. Risk Drivers: media, COCs, pathways, receptors

2. Current and future land use

3. Purpose of action: prevent, minimize, eliminate, restore

Remedial Action Objectives (RAO) Components

Technical Evaluation

Think about the RAOs as you answer each question

A

Is the remedy
working?

B

Are exposure
assumptions
still valid?

C

Is there
anything else to
consider?

Protectiveness Determinations in Five-Year Reviews



Protective



Will be protective once the remedy is completed



Protective in the short-term; however, in order for the remedy to be protective in the long-term, follow-up actions need to be taken



Protectiveness deferred and cannot be determined until further information is obtained (should identify a timeframe to obtain necessary information)



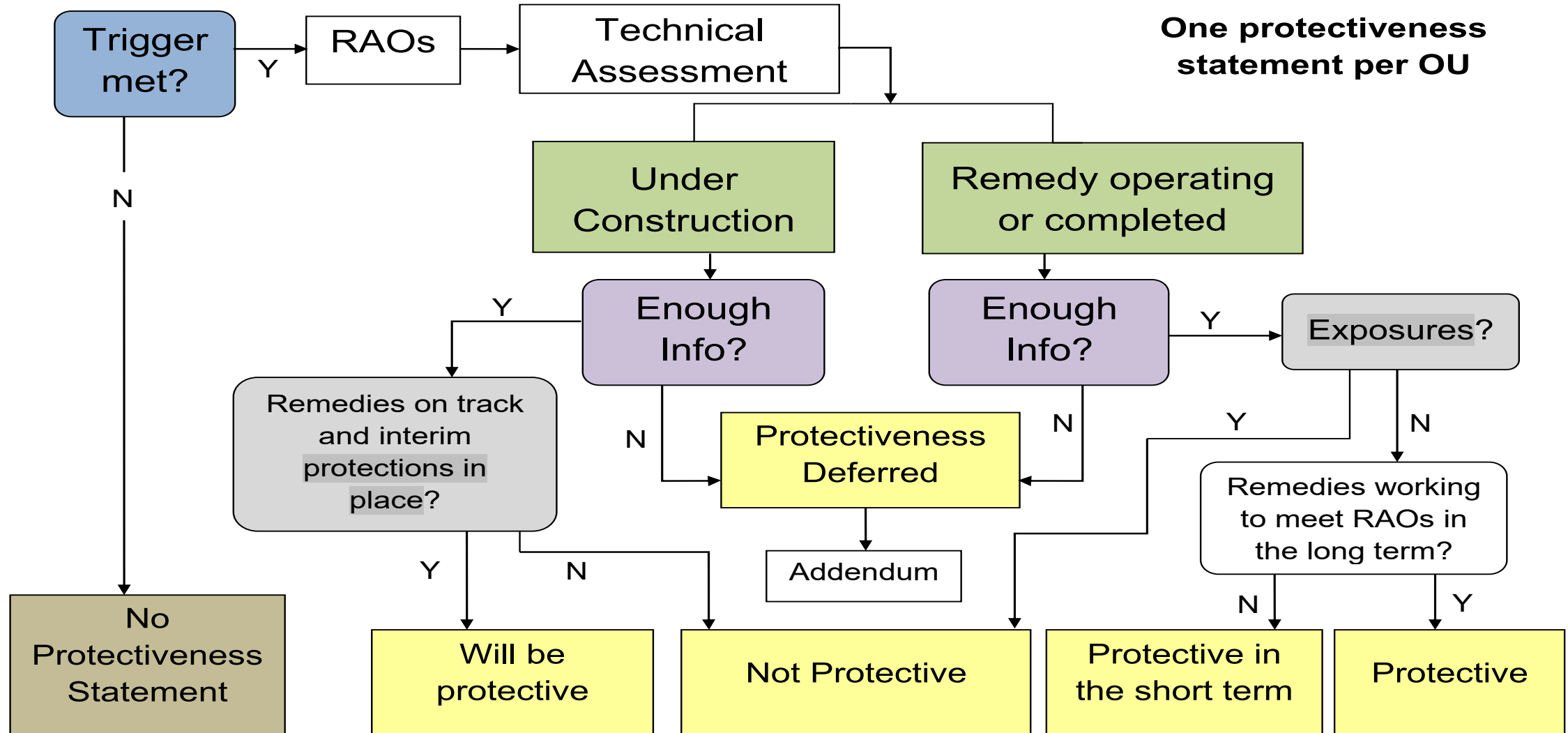
Not protective (should identify what actions are necessary to achieve protectiveness and a timeframe for completion)

Group Poll

Have you worked on a FF FYR where the determination was protectiveness deferred? What was the cause for making that determination?

- A. Sampling needed to confirm exposure pathways
- B. New contaminant cleanup levels were issued and need to be evaluation
- C. Emerging contaminants need to be investigated
- D. Other

Choosing a Protectiveness Determination



Apply Your Understanding

What protectiveness determination should EPA assign this OU?

- A. Protective
- B. Protective in the short term
- C. Protectiveness deferred
- D. Not protective

OU 1 is preparing for its second FYR. The ROD was issued in 2015.

The cleanup level for the primary contaminant of concern (COC) became more stringent in 2022. Based on the existing data, COC concentrations in soil may exceed the new cleanup level.

After the RAOs were met, sampling and institutional controls were no longer required for this specific remedy. It is unknown if the groundwater is being used. The other federal agency concludes that the remedy is still protective.

What are items a reviewer should look for in a Protectiveness Statement?



One protectiveness statement per OU



Protectiveness **determination** matches text in document



Adequate support in technical evaluation



Consistency with issues and recommendations tables



Progress toward RAOs



Standard format followed for protectiveness statements



If a sitewide protectiveness statement is needed

Anatomy of a Protectiveness Statement

Identify OU and protectiveness determination



“The remedy at OU-Y currently protects human health and the environment

Identify what activities justify the protectiveness statement



because land use controls to prevent groundwater use are in place, and groundwater treatment will continue until concentrations throughout the plume are below the standard/MCL.

If not protective, Identify what activities are needed for the remedy to be fully protective



To be protective in the long term, the IC boundary should be expanded.”

Remedies Considered Not Protective

An immediate threat is present (e.g., exposure pathways that could result in unacceptable risks are not being controlled);

Migration of contaminants is uncontrolled and poses an unacceptable risk to human health or the environment;

Potential or actual exposure is clearly present or there is evidence of exposure (e.g., institutional controls are not in place or not enforced and exposure is occurring); or

The remedy cannot meet a new cleanup level and the previous cleanup level is outside of the risk range (Depends on site-specific considerations)

Follow Up Actions Based on FYR

If the remedy is not protective, short-term protective, or protectiveness deferred, then recommendations to address protectiveness should be identified



If the FYR determines the remedy is not performing as designed, changes to the selected remedy may be needed through an ESD or ROD Amendment

Following up on Recommendations between FYRs

Five possible status statements in SEMS for updating each recommendation between FYRs

Under discussion

Ongoing

Considered & not Implemented

Completed

Addressed in the next FYR

Independent Findings

Concurrence Letter or EPA's Independent Assessment of Protectiveness



EPA concurs on the federal agency's protectiveness determination per OU



EPA issues an independent finding of protectiveness per OU



Identify issues and recommendations and what action is being taken



Request a response from the federal agency and the due date for the implementation of the action



Protectiveness statement reported to Congress



Due date for the next review

Causes for Independent Findings

No report

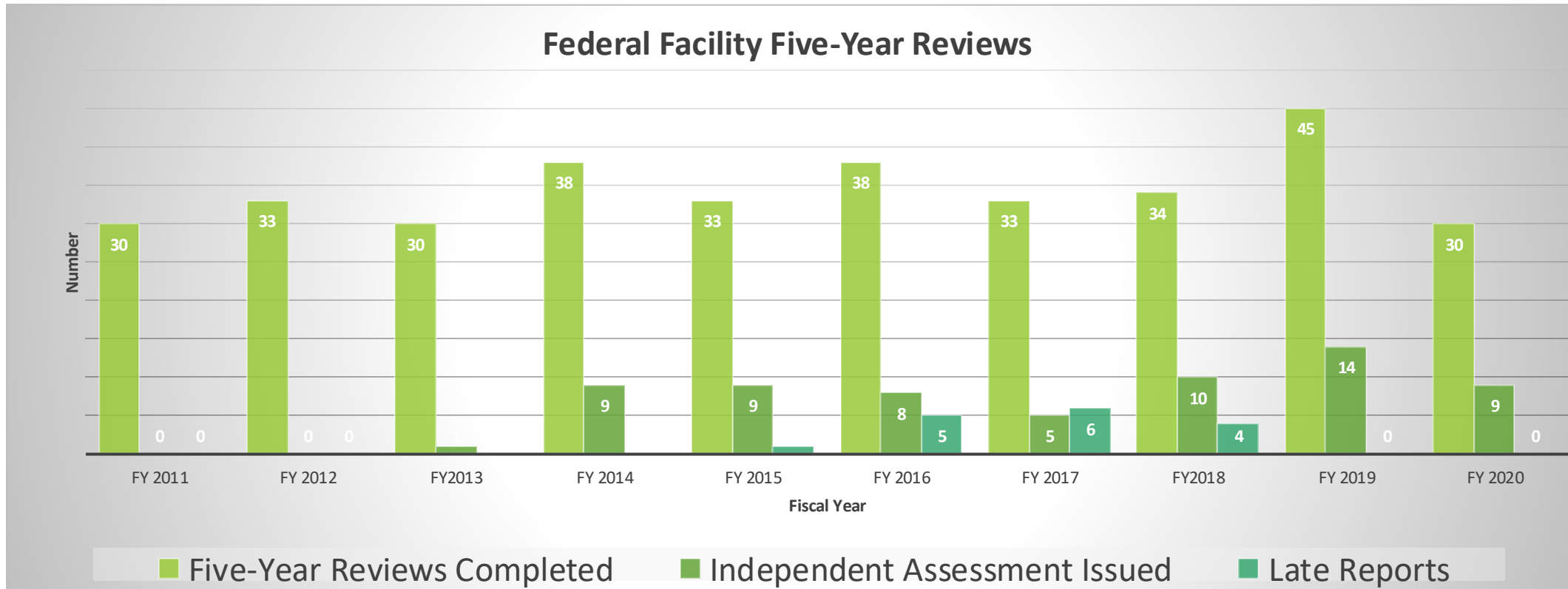
Draft report submitted late or not at all for EPA review

Draft report not finalized by statutory date

EPA does not agree with the protectiveness determination

- Emerging contaminants not addressed in the report
- New exposure pathway
- Land use controls not evaluated

Trend on Issuing an Independent Finding on Protectiveness





Group Poll

Have you worked on a FedFac FYR where EPA and the other federal agency disagreed on the protectiveness statement? How was this resolved?

Apply Your Understanding

Scenario 1: As an EPA RPM, you received and reviewed a draft FYR report. After reviewing the document and providing the document for HQ-FFRRO review, you are able to concur with the protectiveness statements in the draft report. **However, the report will not be final by the statutory due date. What are the follow up actions for the EPA RPM?**

- A. Write a concurrence letter agreeing with the federal agency protectiveness determination
- B. Identify issues, recommendations, and actions that will be tracked in SEMS
- C. Submit Letter and draft report to SEMS
- D. Nothing. EPA cannot proceed until the report is finalized.

Apply Your Understanding

Scenario 2: As an EPA RPM, you received and reviewed a draft FYR report. After reviewing the document and providing the document for HQ-FFRRO review, you are able to conclude that EPA **DOES NOT** agree with the protectiveness statements in the draft report. Also, the report will not be final by the statutory due date. **What are the follow up actions for the EPA RPM?**

- A. Make an independent finding of the protectiveness by the statutory due date (letter to the federal agency)
- B. Share the draft letter with the federal agency for approval
- C. Submit Letter and draft report to SEMS
- D. Send the draft letter to FFRRO for review before signature

Apply Your Understanding

Scenario 3: As an EPA RPM, you received a draft FYR report from the federal agency, **but don't have sufficient time to conduct a review** . The report will not be final by the statutory due date. **What are the follow up actions for the EPA RPM?**

- A. Make an independent finding deferring a protectiveness determination by the statutory due date (letter to the federal agency)
- B. Share the draft letter with the federal agency for approval
- C. Submit Letter and draft report to SEMS
- D. Send the draft letter to FFRRO for review

Apply Your Understanding

Scenario 4: The FYR report has been finalized by the statutory due date. In later discussions, the Federal agency expresses it is not willing to implement the recommendations in the FYR report. **What are the potential follow up actions for the EPA RPM?**

A. There is nothing EPA can do

B. Send a letter to Federal Agency outlining the issues and recommendations, seeks plan of action and schedule from Federal Agency

C. If progress is not made in a reasonable time, consider sending a letter requiring the actions as “additional work” under the Federal Facilities Agreement, subject to dispute resolution

D. EPA will do the actions themselves



Addressing Emerging Contaminants

Addressing Emerging Contaminants in FYRs

1. Question B: Are there new contaminants or new contaminated sources that have been identified?

- Provides broad overview of how the emerging contaminant is being considered in FYRs.

2. Were the emerging contaminant captured under Question B?

- Existing guidance suggests this is most appropriate question as it addresses exposure assumptions and detection of new chemical(s).

3. Was it captured under Issues and Recommendations?

- If there is any follow-on sampling included, then it needs to be captured here.

4. Does the emerging contaminant affect Protectiveness?

- Unresolved issues could mean short-term protective or insufficient information.



R1/R2 Ethan Clark



R3 John Burchette



R4/R7 Jyl Lapachin
FYR Backup Coordinator



R5/R8 Jill Branby



R9 Jon Tso



R6/R10 Haylie Pryson
FYR Coordinator

Federal Facility Regional Coordinators – Here to Help!

EPA Five Year Review Contacts

❖ Haylie Pryson

❖ Five-Year Review
Coordinator, Federal Facility
Superfund Program

❖ OSEM, Cleanup
Implementation Branch

❖ Pryson.haylie@epa.gov

❖ Jennifer Edwards

❖ OSEM, Cleanup
Implementation Branch, FYRs

❖ Edwards.Jennifer@epa.gov

Questions




Stay Connected

- <https://clu-in.org/>




- Free monthly e-newsletter TechDirect, Subscribe at <https://clu-in.org/techdirect/>

 U.S. ENVIRONMENTAL PROTECTION AGENCY

TechDirect, October 1, 2021

Welcome to TechDirect! Since the September 1 message, TechDirect gained 68 new subscribers for a total of 40,008. If you feel the service is valuable, please share TechDirect with your colleagues. Anyone interested in subscribing may do so on CLU-IN at <https://clu-in.org/techdirect>. All previous



Seminar Homepage

<https://www.clu-in.org/conf/tio/FFAcademy1/>

Training & Events
Upcoming Webinars
Archived Webinars & Podcasts
Help & FAQs
My Participation Records
The Training Exchange (Trainex)
Upcoming Courses and Conferences

Federal Facilities Online Academy: Federal Facility Five-Year Review

*Live Webinar: Wednesday, May 13, 2026,
1:00PM-3:00PM EDT (17:00-19:00 UTC)*

Sponsored by: U.S. EPA Office of Superfund and Emergency Management (OSEM)

[Register for Live Webinar](#)

Can't make the live webinar?

[Get Notified When Archive is Available](#)

Description

Federal Facility Five-Year Review Webinar is a two-hour webinar course that provides an overview of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) five-year reviews. By taking this course, participants will achieve the following objectives:

- Understand Five-Year Review purpose and regulatory context
- Learn how to prepare and conduct a five-year review
- Identify the information and data needed to support a protectiveness statement
- Address emerging contaminants and options available to ensure that the federal agencies address these contaminants
- Identify the different scenarios when EPA makes an independent finding of the protectiveness of the remedy
- Learn about similarities and differences between federal and private site five-year reviews

The instructional methodology for this course includes lecture, case studies, and quizzes. There will also be an opportunity for participants to ask questions. The target audience for this course are federal, state, and tribal representatives who work on Federal Facility cleanups. Ideally, students should have a basic understanding the CERCLA process. This course is part of the Federal Facilities Academy training program. Please consider registering for other Federal Facility Academy courses and obtain a certificate upon completion of the entire Federal Facility Academy series (12 courses total).

Presenters & Moderators	+
Webinar Slides and References	+
Related Links	+
Feedback Form	+
Tips, Questions, and Support	+
Accessibility, Recording, and Content Disclaimer	+

Scan me



Presentation materials are posted here

Access Feedback Form and Certificates


Webinar Certificates

<https://www.clu-in.org/conf/tio/FFAcademy1/>

- Participation Certificates available after submitting feedback
 - LIVE or ONLINE REPLAY
- Be sure to check box at bottom
 - if you do NOT check this box, NO certificate will be generated
- Webinar certificate will be
 - immediately available to view, print, and save in PDF format
 - emailed to you as a PDF attachment

Scan me



I certify that I attended this live seminar or viewed the archive in its entirety. Please send a participation **certificate** and feedback confirmation to this address. 



Certificate of Participation

This is presented to

Jean Balent

for participation in the CLU-IN seminar

Estimating Environmental Footprints Using SEFA (Spreadsheets for Environmental Footprint Analysis)

Sponsored by: EPA Technology Innovation and Field Services Division

Delivered: October 28, 2014 2 Hours

Certificate generated on February 10, 2015

Additional event information may be found at <http://www.clu-in.org/conf/tio/SEFA/>

www.clu-in.org

Providing information about innovative treatment and site characterization technologies while acting as a forum for all waste remediation stakeholders

Thank you for joining us!

<https://www.clu-in.org/conf/tio/FFAcademy1/>

Scan me



- [Webinar Slides and References](#) View a complete list of resources including slides for this seminar
- [Seminar Homepage](#) Contact information for presenters and organizers
- [Feedback Form](#) Complete the to help ensure events like this are offered in the future and request a webinar certificate