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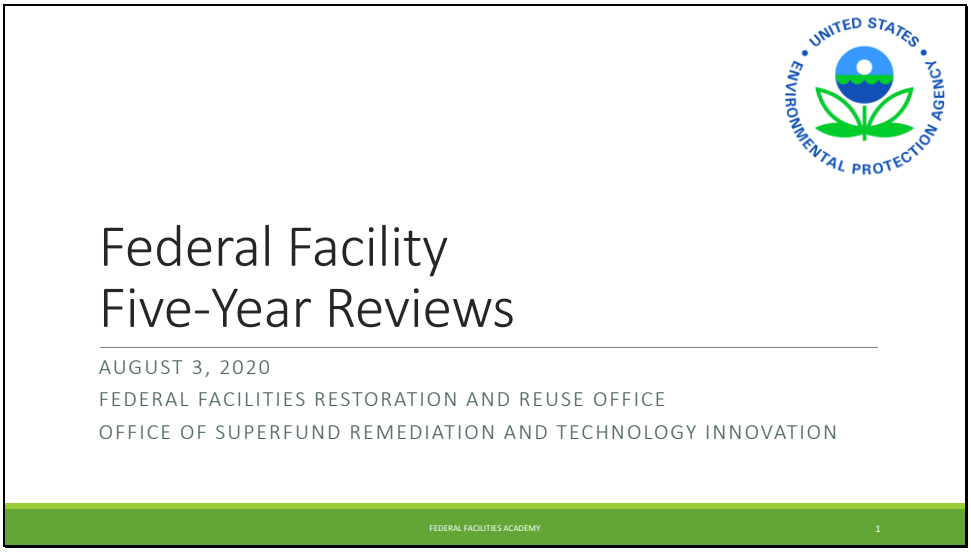

The purpose of this course is to discuss U.S. Environmental Protection Agency Superfund guidance on conducting five-year reviews (FYRs) as applied to federal facility sites on the National Priorities List (NPL) under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

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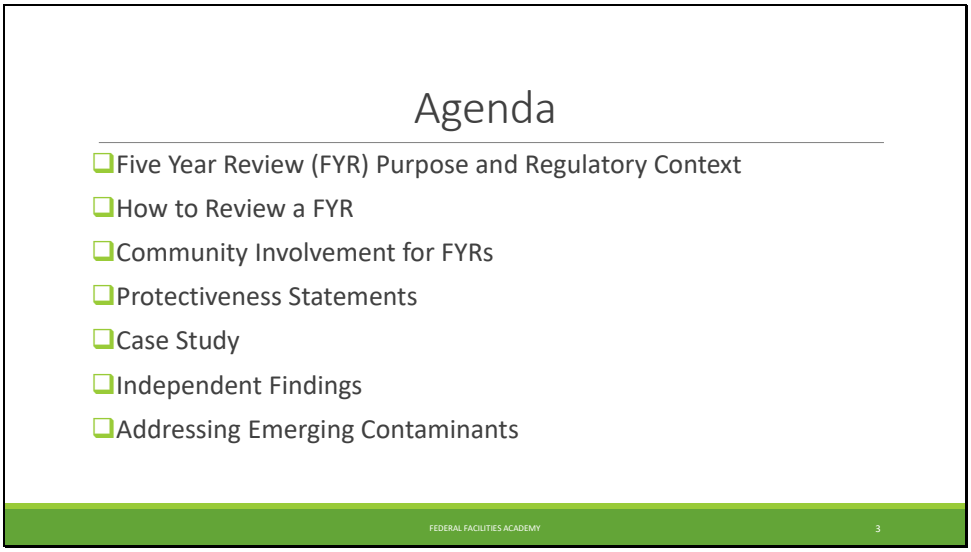

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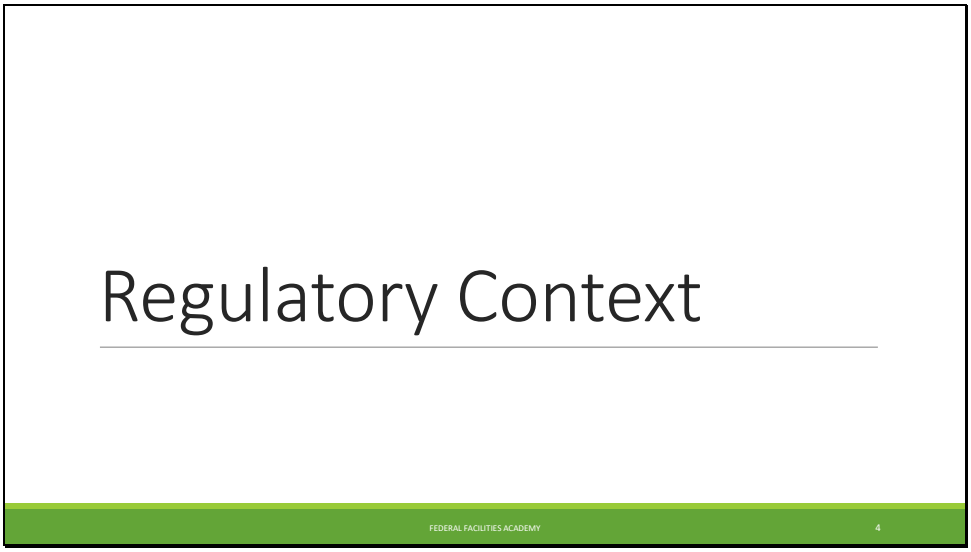

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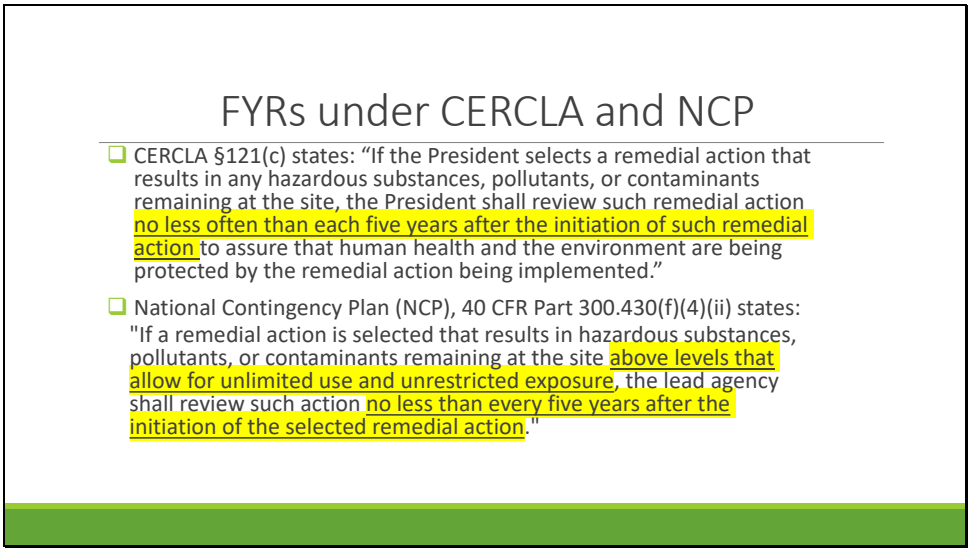

CERCLA §121(c) states the following: "If the President selects a remedial action that results in any hazardous substances, pollutants, or contaminants remaining at the site, the President shall review such remedial action no less often than every five years after the initiation of such remedial action to assure that human health and the environment are being protected by the remedial action being implemented. In addition, if upon such review it is the judgment of the President that action is appropriate at such site in accordance with section [104] or [106], the President shall take or require such action. The President shall report to the Congress a list of facilities for which such review is required, the results of all such reviews, and any actions taken as a result of such reviews."

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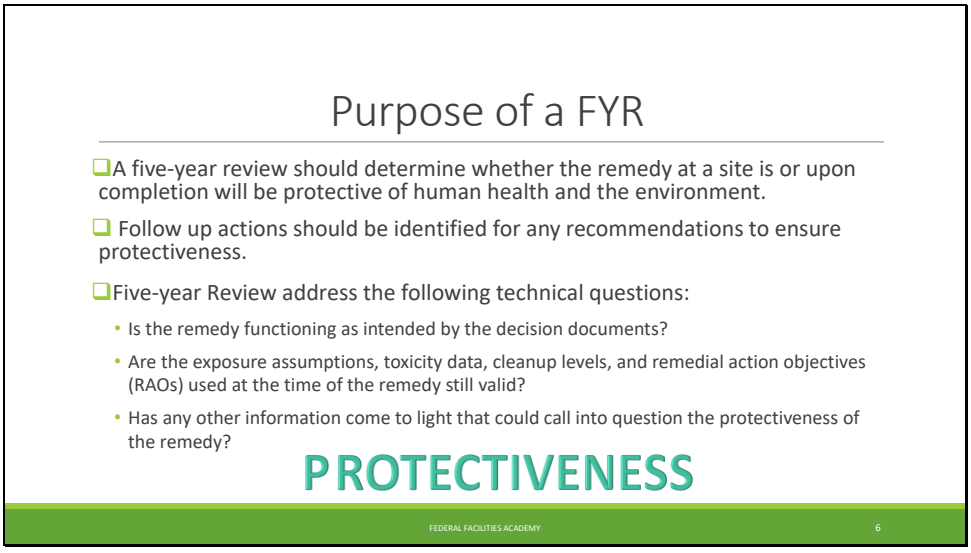

A five-year review should determine whether the remedy at a site is or upon completion will be protective of human health and the environment. Follow up actions should be identified for any recommendations that ensure protectiveness.

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?

A Content Checklist for Five-Year Review Reports and a Five-Year Review Site Inspection Checklist exist to guide the information that should be gathered. The checklists can be found in the 2001 Five Year Review Guidance https://semspub.epa.gov/work/HQ/128607.pdf.

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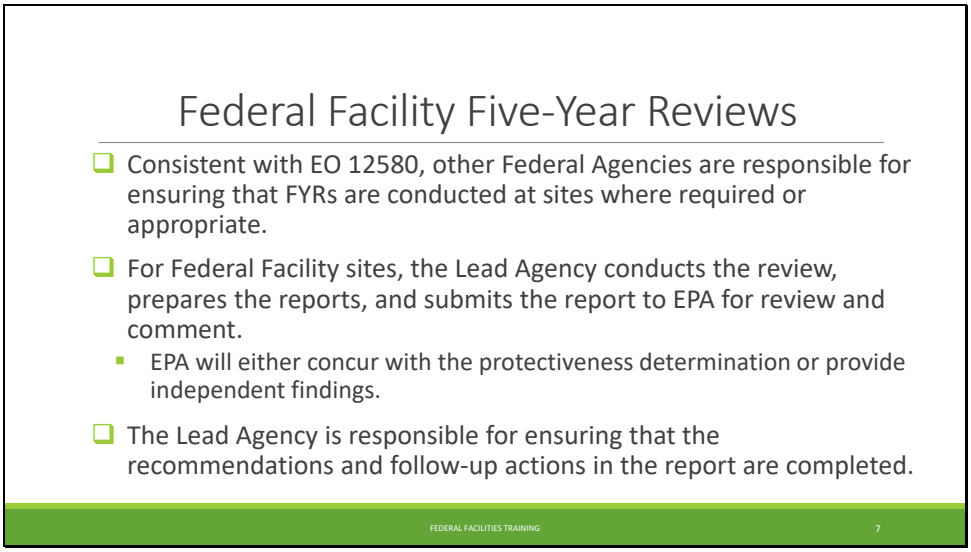

Consistent with Executive Order 12580, other federal agencies are responsible for ensuring that five-year reviews are conducted at sites where required or appropriate. For federal facility sites, the lead agency conducts the review, prepares the reports, and submits the report to EPA for review and comment. The lead agency is responsible for ensuring that the recommendations and follow-up actions in the report are completed. Additional information can be seen at Five-Year Reviews and the Selected Remedy (https://www.epa.gov/superfund/superfund-five-year-reviews)

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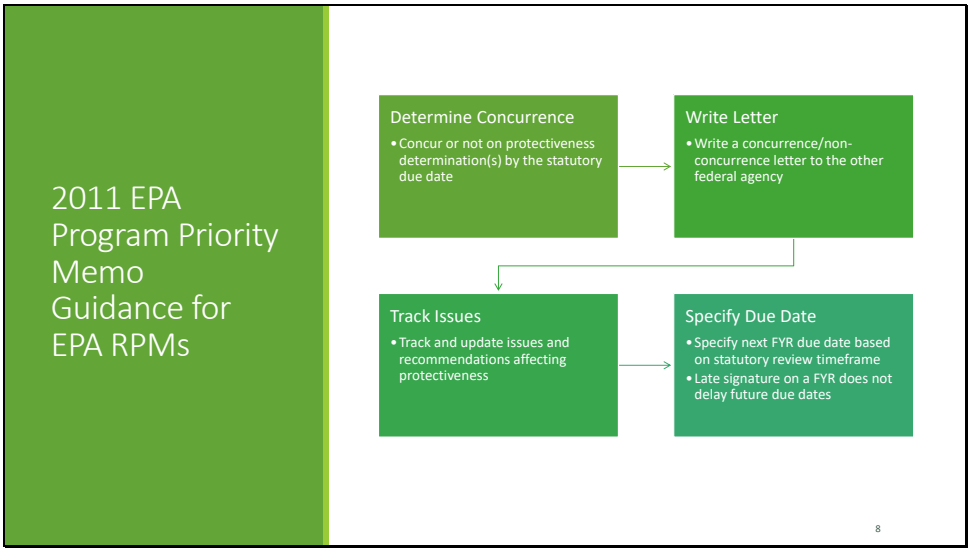

EPA issued the Program Priorities Memorandum for Federal Facility FYRs in August 2011 to help EPA RPMs improve the timeliness of the FYR review process and follow-through on issues at federal facility sites. Being aware of this policy can help you understand the EPA RPM's role in the process as they review and submit comments on FYR reports.

The policy provides guidance to EPA RPMs to:

- Concur or not on protectiveness determination(s) of facility OUs by the statutory due date. The RPM is encouraged to do this whether or not the report is signed and completed by the other federal agency.

- Write a concurrence or non-concurrence letter to the other federal agency following the completion of the FYR.

- Track and update the issues and recommendations affecting protectiveness.

- Identify the next FYR due date and generate due dates for all future FYRs based on the statutory review timeframe. This guarantees that FYRs are completed at least once every five years.

For more information: August 2011 Program Priorities Memorandum for Federal Facility FYRs (https://www.epa.gov/fedfac/program-priorities-federal-facility-five-year-review)

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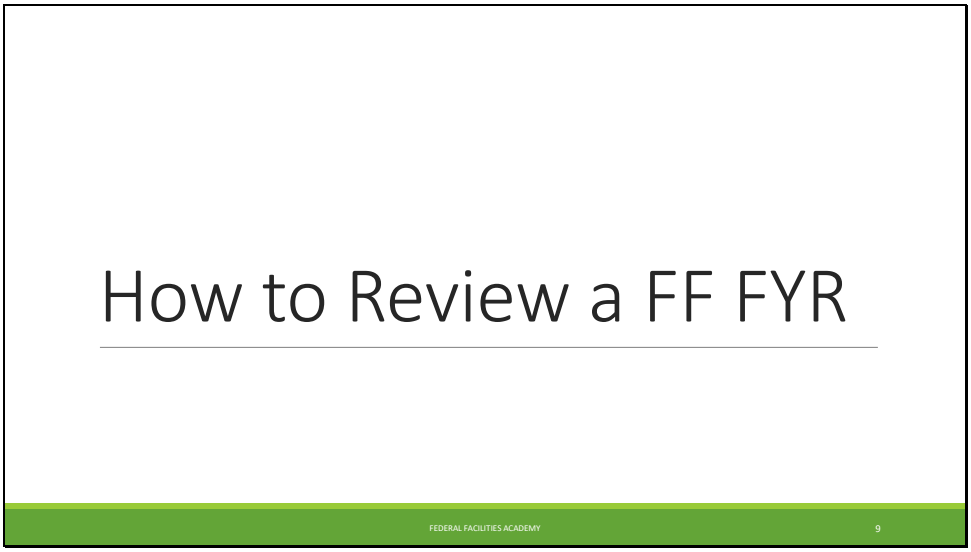

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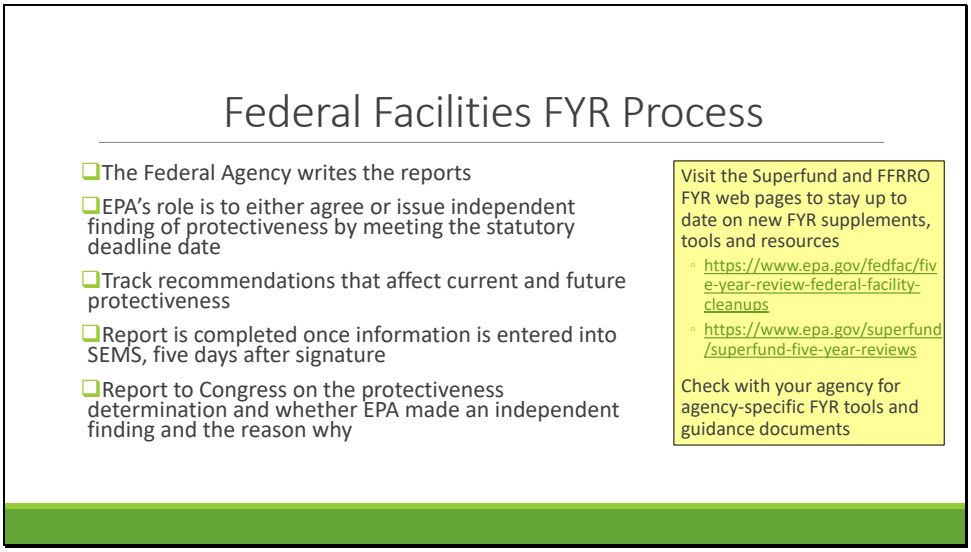


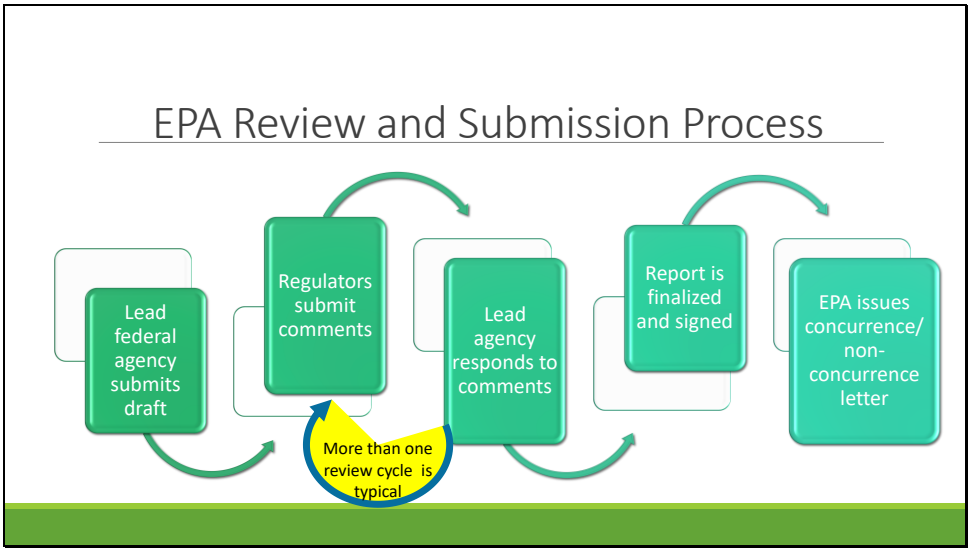
There are some key differences between federal facility and private site FYRs. First, the lead federal agency writes the report. EPA's role is to either agree or issue an independent fining of protectiveness. EPA provides a report to Congress on FYR protectiveness determinations and whether EPA made an independent finding, along with the reason for the independent finding. The report is completed once FYR information is entered into SEMS.

The writer should use OSWER's 2001 Comprehensive FYR Guidance as a guide throughout the FYR process. Since 2001, EPA has also issued several updates and supplemental guidance. These

supplements offer helpful guidance for addressing substantive issues and concerns. Visit the Superfund and Federal Facilities Restoration and Reuse Office (FFRRO) FYR web pages to stay up to date on recent supplements and new tools and training resources. Also be sure to check with your agency for any agency-specific FYR tools and guidance documents.

When starting the FYR, the lead federal agency project manager should contact the state RPM and technical specialists in their agency to stay up to date on emerging contaminants, exposure pathways and state and federal standards. Also be sure to check original sources such as the Integrated Risk Information System (IRIS) and relevant state websites. Early on, the FYR team should identify any new or changed regulations (applicable or relevant and appropriate requirements (ARARS)) and seek agreement on whether they impact RAOs or the protectiveness of the remedy.

Slide 11



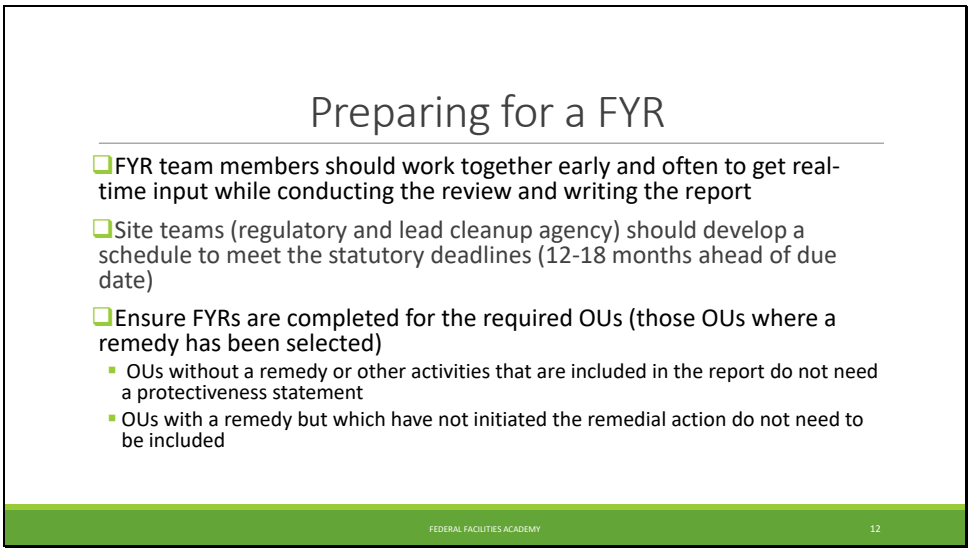
EPA's involvement in the federal facilities is different than the private Superfund sites. First, the lead federal agency submits a draft FYR report to the regulatory agencies for comment. The amount of review time for the regulatory agencies is usually based on the site's FFA. Generally, the regulatory agencies will have 60 days to review and submit comments. Another 45-60 days is generally allowed for the final review, depending on the terms of document review under the FFA. During this review time, the EPA RPM will solicit comments from technical, legal and Headquarters staff. These comments will be consolidated by the RPM and sent to the lead federal agency. The lead agency will usually respond to comments and generate a final draft that reflects the regulatory comments.

The EPA RPM will review the final draft and submit any comments to the lead federal agency. Once all comments are addressed, the document will be finalized by the lead federal agency and circulated among the lead agency for signature. Depending on the signatory authority, EPA may need to sign the report and/or write a concurrence letter regarding the protectiveness determinations.
In the concurrence letter, EPA will concur or non-concur on the protectiveness statement for each OU; identify the issues that will be track in SEMS; and state the due date for the next review, based on the

statutory requirement of an FYR due no less than once every five years. If the federal agency and EPA cannot agree on the protectiveness of the remedy, EPA may issue an independent assessment of the protectiveness of the remedy.

For complex sites with multiple operable units, obtaining signatures may take many months. A schedule agreement created and agreed to by reviewers (e.g., EPA, State, Tribes) during the planning stage may ensure draft reports are keyed into the final FYR report deadline.

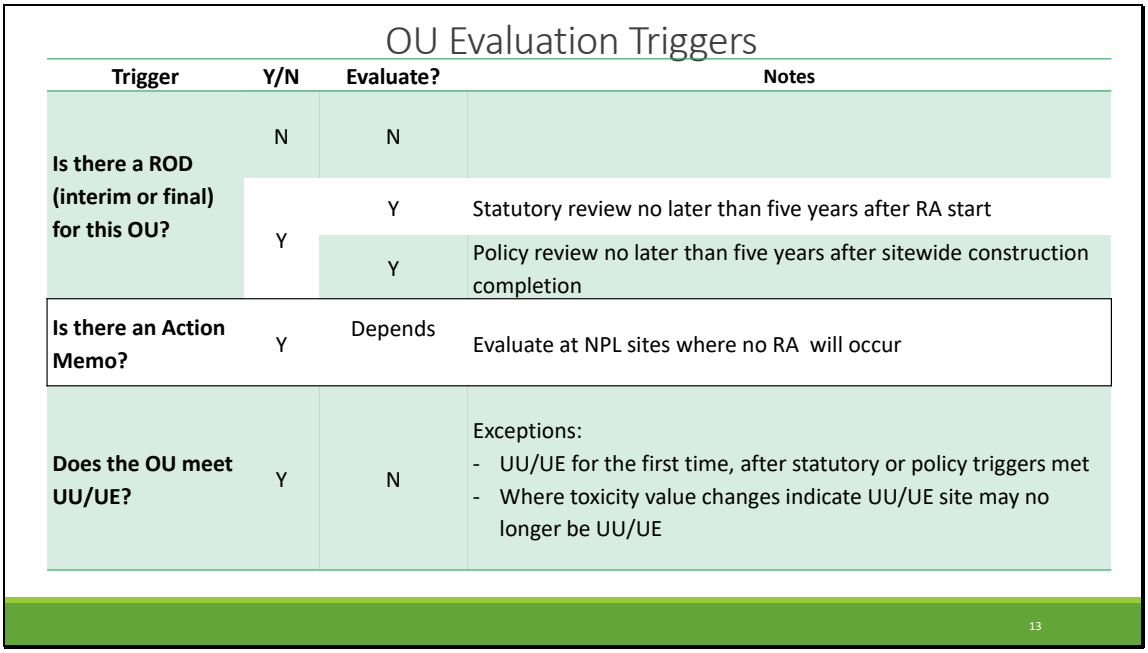
Slide 12



Lead agency project managers should engage the integrated project team early in the review process and encourage regular communication between team members. This allows for real-time input from environmental regulators, legal representatives and others, and helps to identify and address issues proactively instead of waiting until later in the review process.

For federal facility sites, at minimum, the lead agency should begin planning three years in advance of the statutory deadline to secure the funding and contract support needed to complete the review process and check the expiration of the contractor's contract. Data collection and report writing should begin at least 12 to 18 months ahead of the due date. You may need to adjust this timeline, depending on the size and complexity of the site, whether you elect to have public meetings or comment periods, and any changes in site conditions, such as snow, that may cause delays in the review process. For more information: OSWER 2001 Comprehensive FYR Guidance, Appendix A

Slide 13



OU Evaluation Triggers

Trigger	Y/N	Evaluate?	Notes
Is there a ROD (interim or final) for this OU?	N	N	
	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: - 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

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This table shows that not all OUs need to be evaluated during the FYR process. Generally, a decision document should be in place and a remedial action initiated within the OU that leaves waste in place. If the OU has no decision document (ROD, Action Memo, Resource Conservation and Recovery Act (RCRA) decision, or equivalent), then a remedy has not been selected and an evaluation is not required. If an RA start has not occurred at an NPL site requiring a statutory review, a review is not required. If the criteria for review have been met anywhere in the OU, an evaluation should take place and a protectiveness statement issued. Where there are OU subareas suitable for UU/UE, they can be carved out of the evaluations.

UU/UE means the selected remedy will place no restrictions on the potential use of the land or other natural resources. Unless an OU meets UU/UE criteria, it should be evaluated once the trigger for evaluation is met. If an OU is not UU/UE at the time of the ROD/decision document, an evaluation should take place and a protectiveness statement issued. The first FYR Report after the OU meets UU/UE conditions should include an evaluation that supports UU/UE and include a protectiveness statement for that OU. The report should state that this is the last time the OU will be evaluated in a FYR. The OU would not be part of future evaluations unless toxicity or other factors affecting UU/UE are no longer valid.

Discretionary evaluations may be performed at OUs where they are not required by CERCLA statute or policy. These are performed at the discretion of the lead federal agency. For example, where a FYR is required under a RCRA corrective action. “No Further Action” and “No Further Remedial Action Planned” does not mean UU/UE. OUs deleted from the NPL will still need evaluation if they are not UU/UE. For more information: OSWER 2001 Comprehensive FYR Guidance, Section 1.5.1

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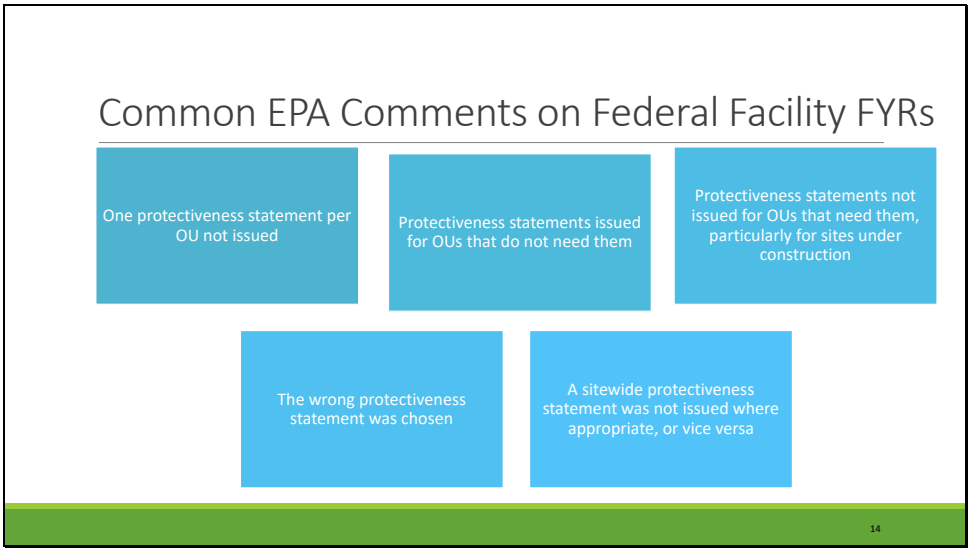


This slide presents the top comments commonly made by EPA reviewers of federal facility FYRs. The top five comments all relate to the protectiveness statement. The purpose of the FYR is to assess the protectiveness of a remedy. Therefore, assessing, choosing, supporting and writing protectiveness statements correctly is a main focus for reviewers of FYR reports.

First, there should be one protectiveness statement for every OU evaluated during the review process. Not every OU requires an evaluation.

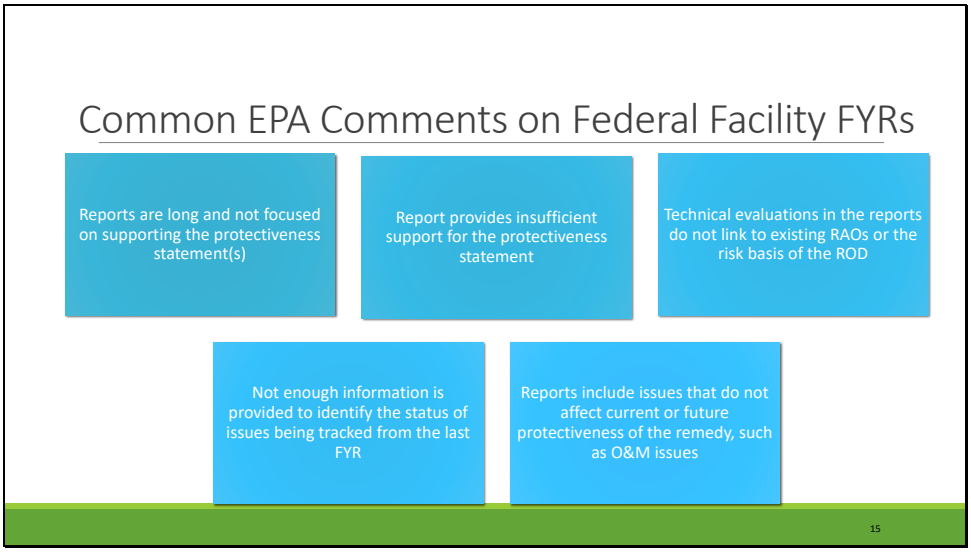
Second, a protectiveness statement is not needed if certain criteria are met, such as OUs where remedial action has not begun (no remedial action (RA), there is no Record of Decision (ROD)), or an OU was UU/UE in the last FYR and remains UU/UE. UU/UE means that the selected remedy will place no restrictions on the potential use of land or other natural resources.

Third, OUs still under construction need a protectiveness statement in a statutory review. In policy reviews, follow-on construction activities after a ROD Amendment will also get a review. The “will be protective” statement may apply.

Fourth, protectiveness statements should be consistent with FYR Guidance Exhibit 4-6 and the 2012 OSWER 9200.2-111 Memorandum. FYR writers often choose the wrong protectiveness statement. Decision logic for choosing protectiveness statements will be discussed later in the training.

Fifth, once a site achieves “Construction Completion,” a sitewide protectiveness statement is issued. A sitewide protectiveness determination is required and will generally be the same protectiveness determination as the least protective OU at the site (2012 OSWER 9200.2-111 Memorandum). This additional protectiveness statement should not be included until Construction Completion has been achieved, because all site remedies may not have been selected and put in place (FYR Guidance, Section 4.5.1).

Slide 15



Sixth, the report should stay focused on the protectiveness message. Distill messages from operations and maintenance (O&M) and long-term monitoring (LTM) reports. Do not cut and paste. **Synthesize** information.

Seventh, the report needs to provide adequate rationale for the protectiveness statement(s). A remedial action should address one or more remedial action objectives (RAOs) and the technical evaluation should provide evidence that the remedial action is functioning as intended and meeting the RAOs.

Eighth, the technical evaluation must address the RAOs or risk basis of the ROD. Because remedies are selected to meet risk-based RAOs, these should be the basis of the issues and recommendations identified in the report.

Ninth, the "Progress since the last FYR" section should include adequate information about the status of issues being tracked since the last FYR. The choices are "continued in the next FYR," where the issue would be carried over into the new issues list, "complete," or "considered and not implemented." This information is required in the Superfund Enterprise Management System (SEMS), EPA's data tracking and project management tool.

Tenth, for FYRs for federal facilities, EPA may only track issues that affect current or future protectiveness. Identify an issue from any missing ROD elements required for long-term protectiveness (such as requiring the implementation of institutional controls (ICs) in a decision document).

Keeping these comments in mind will help you develop streamlined FYR reports that are easy to read and review.

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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

May 3, 2007 Memorandum on Program Priorities (https://semspub.epa.gov/work/HQ/174113.pdf)

A Superfund FYR Report to Congress is prepared each fiscal year. (https://www.epa.gov/superfund/superfund-five-year-review-annual-report-congress)

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HQ FFRRO Review Process

- FFRRO Uses an ELMS Board to track FF 5YRs
  - Weekly Huddles
- Review Timelines
  - FFRRO strives to complete internal review of draft documents in 30 calendar days
- Multiple FFRRO SMEs may help with review
- FFRRO Comments to RPM
  - Discuss and resolve concerns before RPM sends their comments to the OFA

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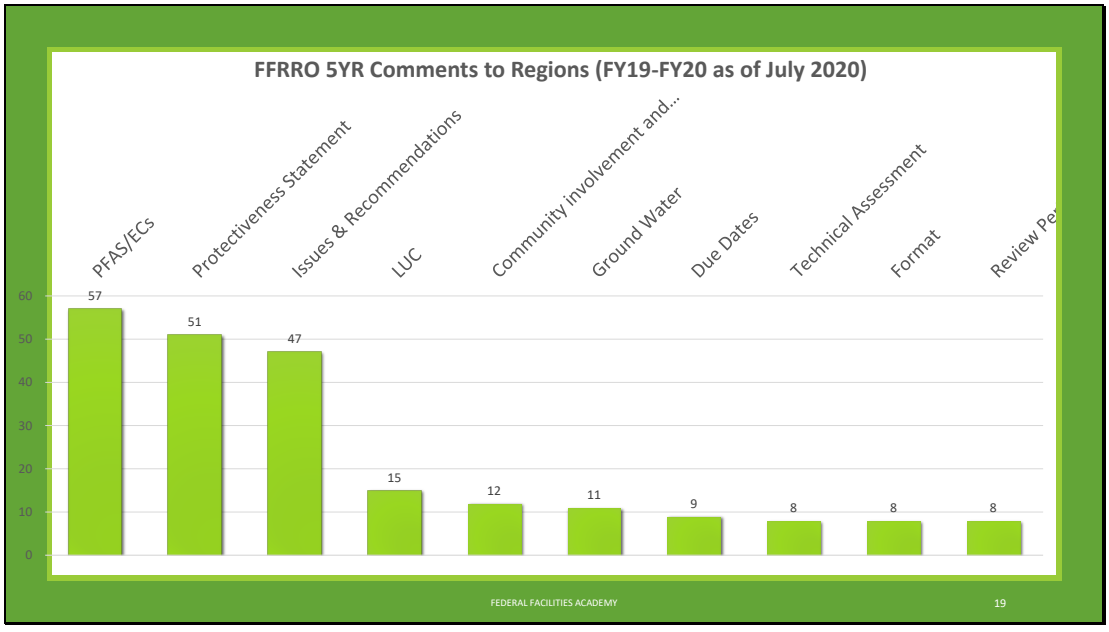

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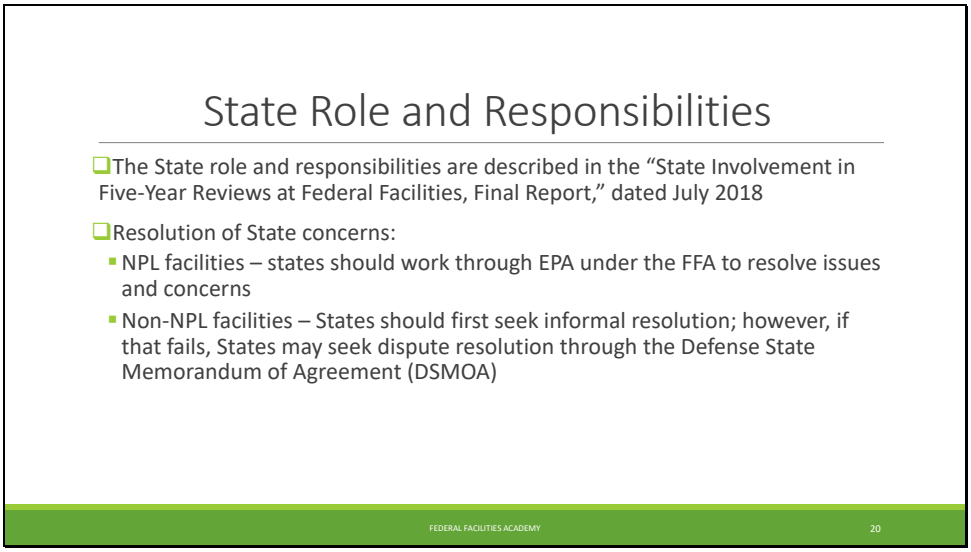

The state role and responsibilities are described in a guidance (http://astswmo.org/files/Resources/Federal_Links/ASTSWMO-FF-FYRpaper.pdf). The emphasis is on on-going partnerships and involvement of the States in the FYR process and resolution of questions and concerns at the earliest possible time. Best practices are to seek and resolve questions and comments informally whenever possible.

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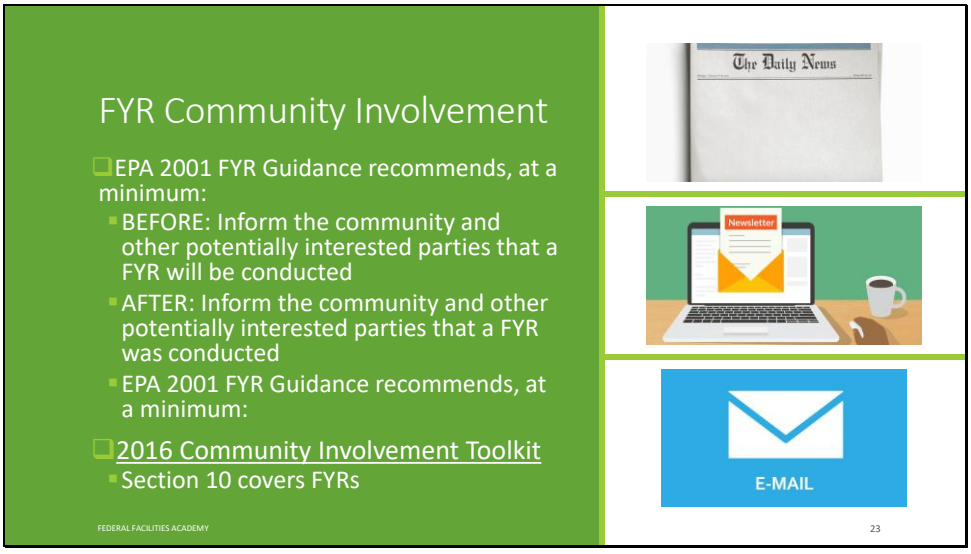

No community involvement activities during the five-year review are mandated in CERCLA or addressed in the NCP. For information on recommended community involvement activities during the five-year review process, see Appendix A of the 2001 *Comprehensive Five-Year Review Guidance.*

- Inform the community and other potentially interested parties that a five-year review will be conducted, using the most appropriate communication method or activity for the specific community.
- Inform the community and other potentially interested parties that a five-year review was conducted at the site.
- Prepare a brief summary of the results, 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.

A public notice in a local newspaper is the most common way to notify the community that you are preparing to conduct a FYR at a nearby federal facility. You can also use your facility or installation's web page and local radio or TV stations to announce the FYR. If your site has an active community group, you should notify the public at its next meeting. In May 2015, EPA added language to the NCP to broaden the methods by which EPA can notify the public about certain Superfund activities.

The 2016 Community Involvement Handbook (https://www.epa.gov/superfund/superfund-community-involvement-tools-and-resources#fiveyear) also provides information on community involvement during FYRs.

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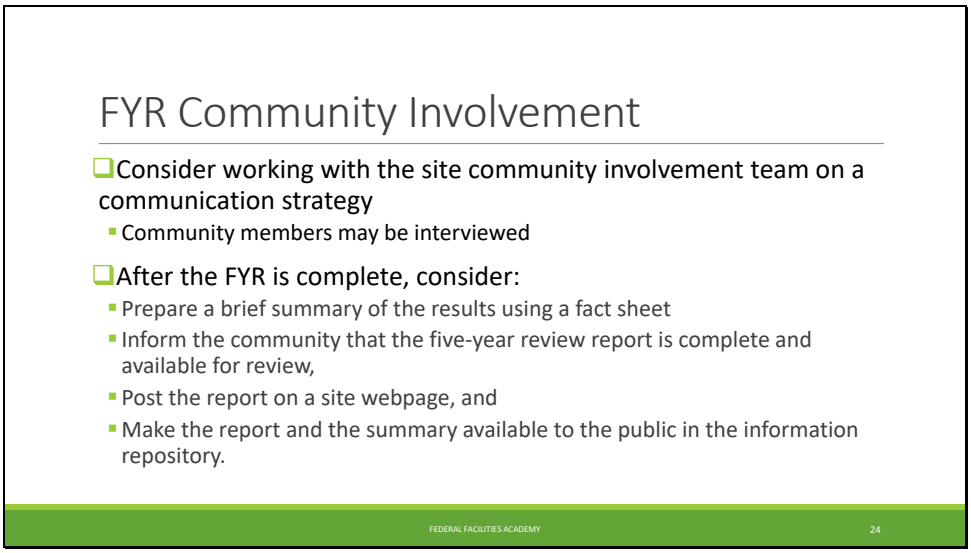

The lead federal agency project manager should work with the site community liaison on a communication strategy and notify the community about the FYR before it begins and when it finishes.

Community members may be interviewed as part of the FYR remedy assessment. Conduct community interviews with plenty of lead time; incorporate existing public opinions already provided on remedy performance issues from ongoing public outreach. Focus community input on assessing remedy protectiveness (not reopening the remedy decision). Because community members live near these sites, they can offer valuable input about the day-to-day realities at a site and play an important role in the long-term stewardship of federal facilities. Adjacent property owners or owners of off-site property that may be affected by contamination can be especially helpful to interview. Local government officials may need to be interviewed to determine if institutional controls are implemented properly.

The FYR Interagency Workgroup recently developed a set of FYR community tools to help site managers at federal facilities explain the purpose and findings of a FYR to surrounding communities. Community meetings are a great platform for sharing the short video and training module. Once you have completed the review, the new fact sheet template can help you organize and summarize the most important FYR findings and share them with the community. The factsheet can also be distributed at community meetings. These tools are available on the FFRRO FYR web page (https://www.epa.gov/fedfac/five-year-review-federal-facility-cleanups)

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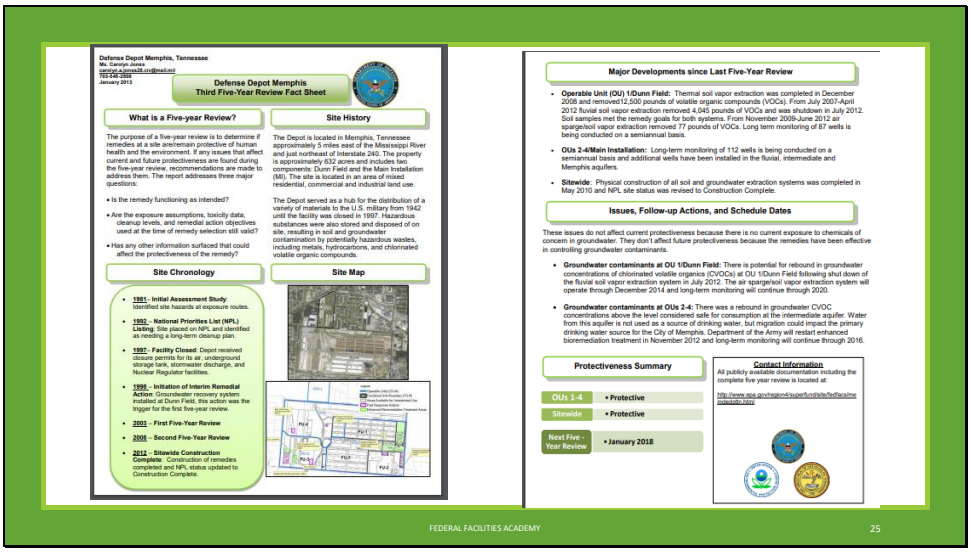

This is an example of a fact sheet to accompany posting of a FYR using the available online tools.
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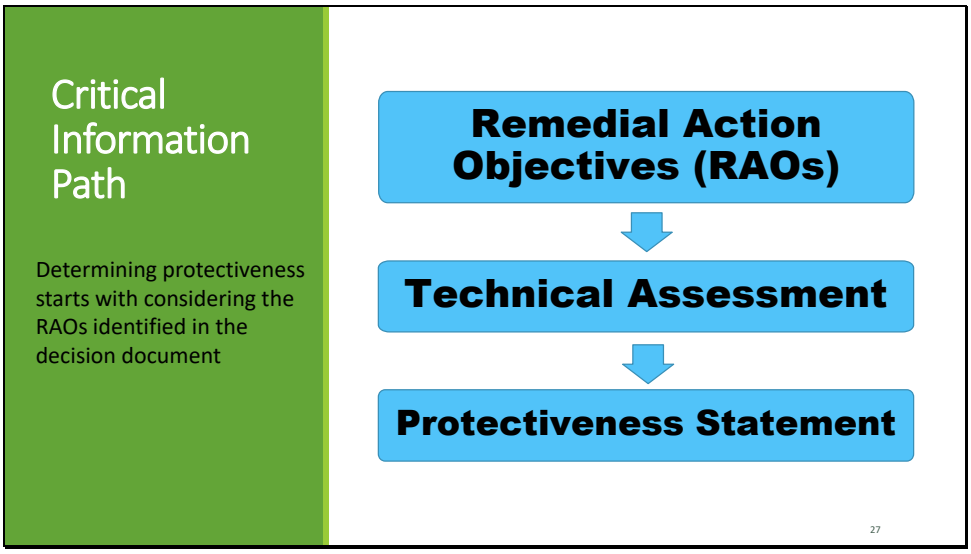

Keep in mind that the purpose of the FYR is to determine the protectiveness of the remedy and ensure that the data and information supports the FYR's protectiveness statements. The critical information path is a thread of thought emphasizing the protectiveness statement that should run through the FYR Report, from the RAOs through the technical assessment to the protectiveness statement. This is not specified in the FYR Guidance, but it helps focus the message. Without this focus, reports can wander and get too long and the protectiveness message may not stand out.FYR report reviewers such as EPA and state project managers will look to see if the RAOs and technical assessment tell a complete story and ensure that the issues, recommendations and protectiveness statements are well supported.

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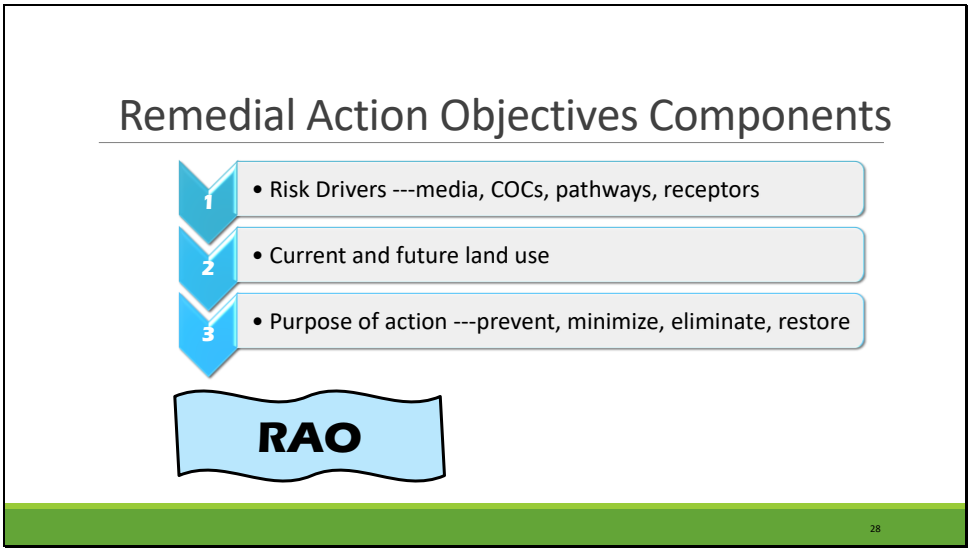

RAOs are the first step of the critical information path. The site's RAOs come from the decision document(s) and should already include risk drivers, land use and the purpose of the action. If the RAOs are not specific, it may be difficult to determine if the remedy remains protective. It is important to think about the RAOs as you answer technical evaluation questions A, B and C (see next slide). For more information: OSWER 2001 Comprehensive FYR Guidance, Section 4.0

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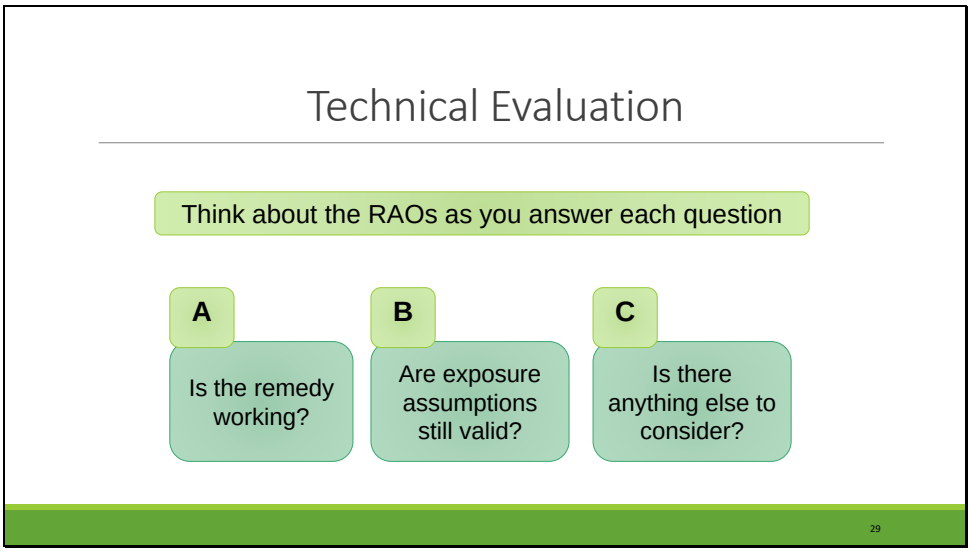

Question A asks if the remedy is functioning as intended by site decision documents. It is important to consider all RAOs when writing this section.

Question B asks if the exposure assumptions, toxicity data, cleanup levels and RAOs used at the time of remedy selection are still valid. You will need to consider changes in toxicity values and land use to answer Question B.

You should consider:
- Using the regional screening levels website as a screening tool.
- Talking with your agency's toxicologist.
- Visiting FFRRO's web page for updates on new and emerging contaminants.
- Consulting IRIS to stay up to date on toxicity changes.
- Visiting the state agency web page regarding cleanup levels or involving the state regulator.

Again, changes in standards or land use should be viewed in light of a protectiveness determination and whether existing RAOs (if achieved) will be protective. A change, by itself, does not trigger a change in protectiveness – you must consider whether unacceptable risk, a new exposure pathway or other changed circumstances are present.

Question C asks if any other information has come to light that could call into question the protectiveness of the remedy. For example, a flood, earthquake or wildfire could potentially affect the protectiveness of the remedy.For more information: OSWER 2001 Comprehensive FYR Guidance, Section 4.0

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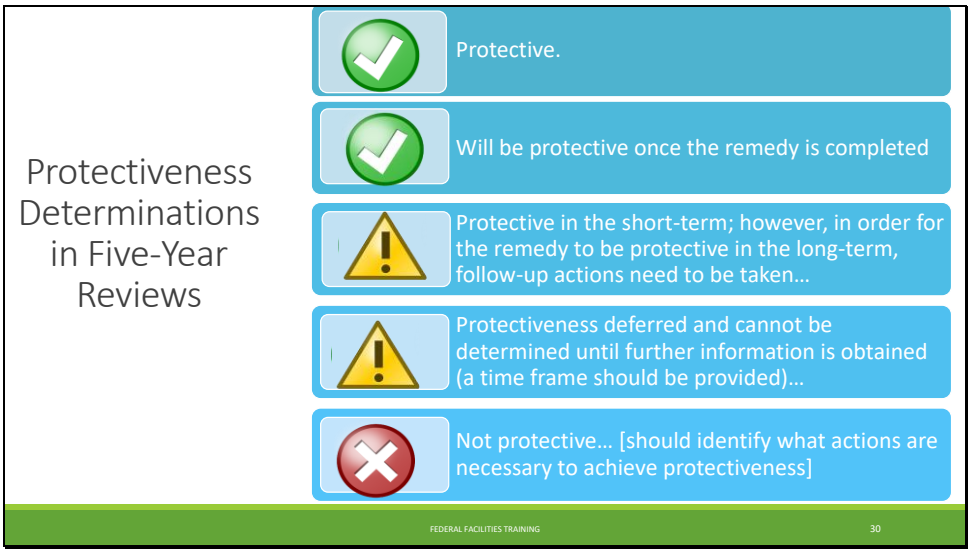

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Group Poll

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

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Choosing a Protectiveness Determination

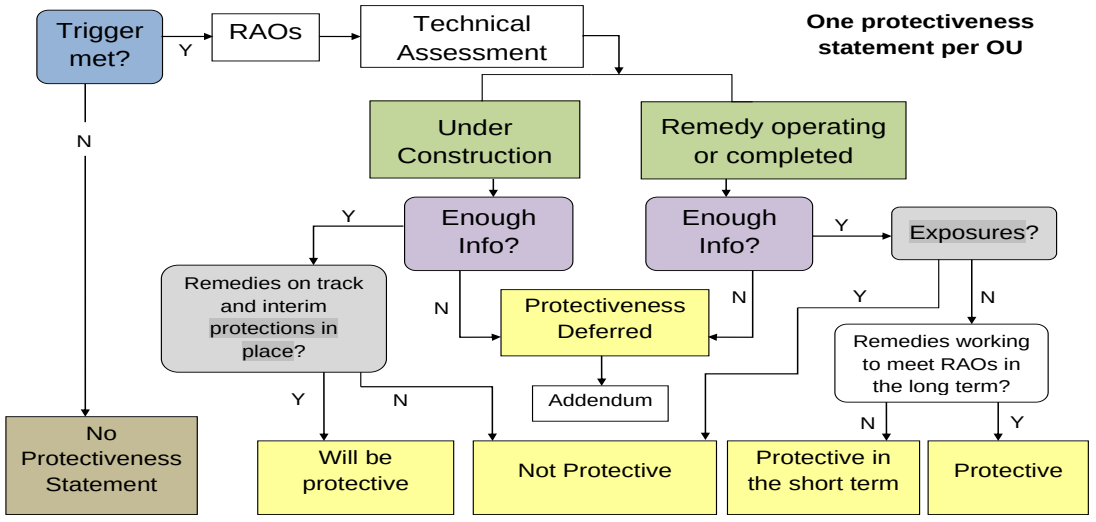

Exhibit 4-6 in the 2001 Comprehensive FYR Guidance and this protectiveness flowchart can help you choose the correct protectiveness statement based on your answers to questions A, B and C in the technical assessment. Be sure to answer the flowchart decision questions in the technical evaluation section of the report. Also refer to EPA's 2012 Clarifying Memorandum on the Use of Protectiveness Determination of Five-Year Reviews and this flowchart are helpful for you to choose the correct protectiveness statement.

Trigger Questions (blue box)

- Do you have a ROD?
- For a statutory review, has the first remedial action begun? For policy reviews (rarely done at federal facility sites), is construction completed?
- Is the OU suitable for UU/UE? Only issue a protectiveness statement the first time the OU reaches UU/UE, if the OU was not UU/UE at the time of the ROD.

Other Important Questions

- Is the remedy under construction (green boxes)? This question generally applies to the engineering controls, not the ICs.
- Is there enough information to support a protectiveness statement, or must additional data be gathered (purple boxes)? For example, if vapor intrusion testing has not been performed above a TCE plume, and there are no exposures, the writer may choose short-term protectiveness. If there is not enough information to confirm whether or not there are any exposures, the writer may choose protectiveness deferred.
- Are exposures taking place (gray boxes) and has data been collected?

The reviewer will check that your protectiveness statement follows wording in the September 2012 OSWER Memorandum, which recommends language for drafting protectiveness statements and the thought process outlined in the 2001 Comprehensive FYR Guidance. Following a standard format helps to promote FYR consistency across federal agencies.

Remember to issue one protectiveness statement for each OU assessed in the FYR. Provide adequate support for the rationale of the protectiveness statement by answering the questions in the decision points on the flow chart and using tables and figures to display data. You can also cite and link to supporting reports and resources.

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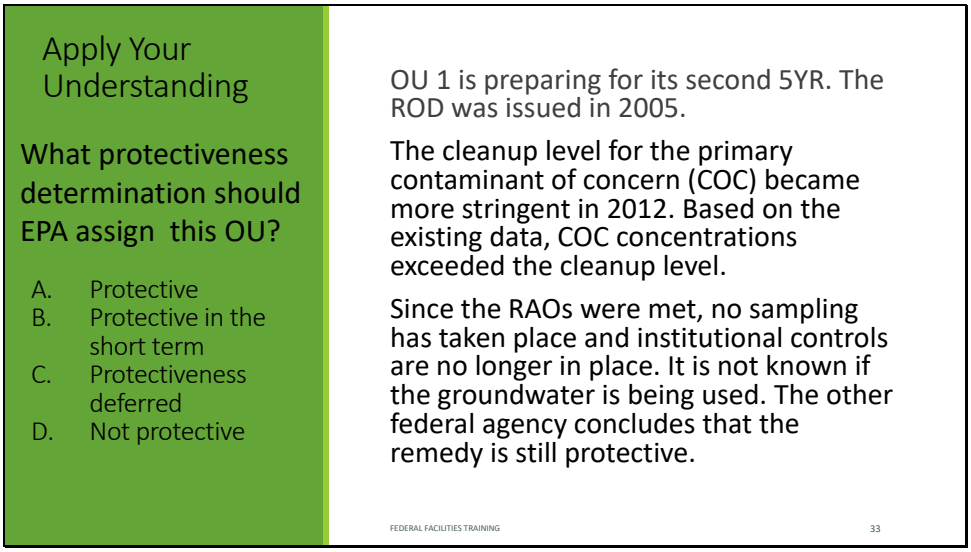

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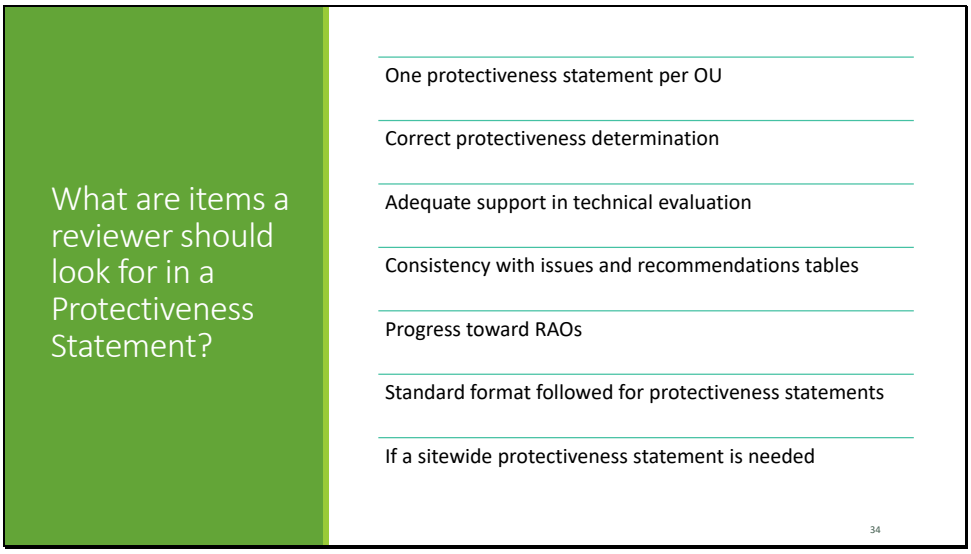

There are a few points that reviewers focus on when evaluating protectiveness statements. The reviewer will look to see:

- Is there one protectiveness statement per OU?
- Did the writer select the appropriate protectiveness statement?
- Does the technical assessment sufficiently support the protectiveness statement?
- Is the protectiveness statement for each OU, and if applicable, the sitewide protectiveness statement, consistent with the issues and recommendations in the body of the FYR?
- If the protectiveness statement considers site RAOs. For example, does it evaluate protectiveness in light of the stated remedial objective such as to contain, cover or remove contaminants of concern?

- Does the protectiveness statement follow the format in the 2001 Comprehensive FYR Guidance and the 2012 Policy Memorandum on Clarifying the Use of Protectiveness Determinations for CERCLA FYRs?
- Is a sitewide protectiveness statement included in the FYR if a site is Construction Complete?

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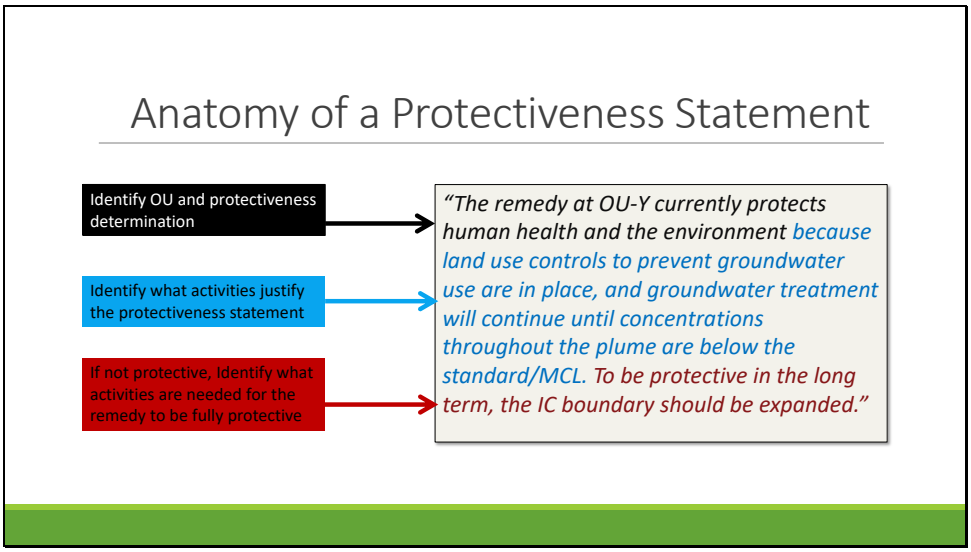

Protectiveness statements should be included in the FYR Report's Executive Summary and body text. EPA issued guidance in September 2012 clarifying the use of all protectiveness statements and the language to be used when drafting a protectiveness statement. The reviewer will check that the protectiveness statement follows the wording in the September 2012 guidance. Following a standard format helps to promote consistency across FYRs.

A protectiveness statement has several parts, as shown by the different colors on this slide. It begins by specifying an OU and using the language from the guidance for remedies that are protective in the short term (black). Then it states what is occurring or has occurred to make the remedy protective (blue). The last sentence states what must happen for the remedy to be considered fully protective (red).

In this example, the remedy is protective in the short term because land use controls prevent people from drinking the contaminated groundwater. However, the report recommends that the IC boundary be extended to ensure long-term protectiveness.

Remedies may be protective even though a cleanup goal has not yet been met.

For more information: EPA's September 2012 Memorandum (OSWER 9200.2-111, "Clarifying the Use of Protectiveness Determination for CERCLA Five-Year Reviews")

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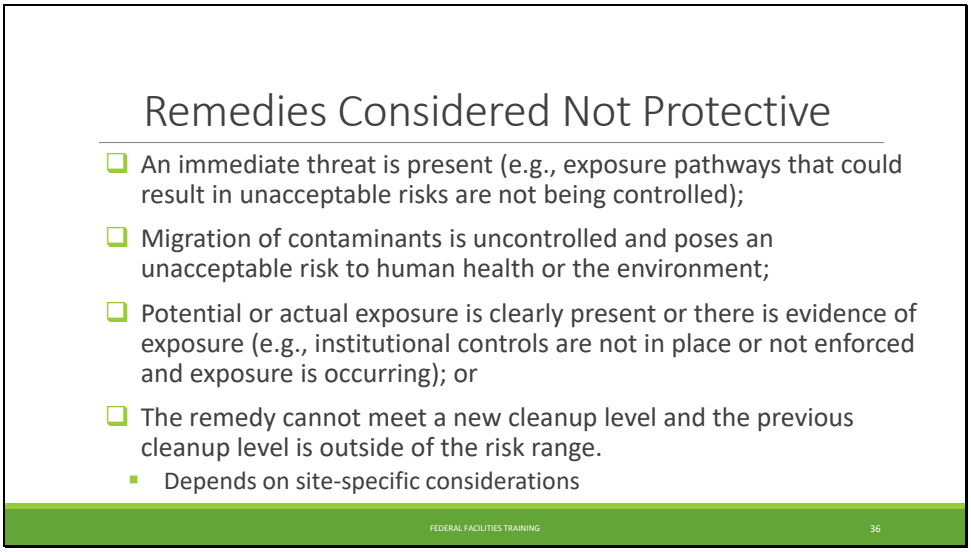
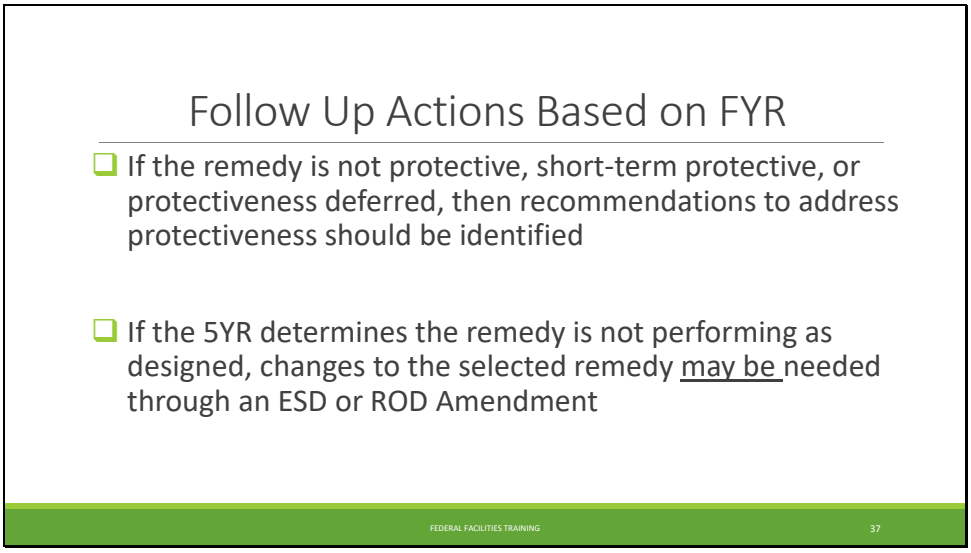


This slide presents examples of remedies considered not protective. In these cases, some follow up action is needed. More information is available in the 2001 Five Year Review Guidance https://semspub.epa.gov/work/HQ/128607.pdf

Slide 37



For Federal facilities only, EPA considers Five-Year Review reports to be stand-alone primary documents or part of another related primary document that should have an enforceable schedule within the framework of the FFA. Where EPA enters into an FFA, the agreement should include all site-specific Five-Year Review requirements, such as provisions for reviews, public participation, and addressing or resolving issues. Consistent with CERCLA §120(g), FFAs cannot

re-delegate EPA's final authority over whether the five-year reviews adequately address the protectiveness of remedies.If the remedy is not protective, then it may be necessary to make changes to the selected remedy, likely through an ESD or ROD Amendment.

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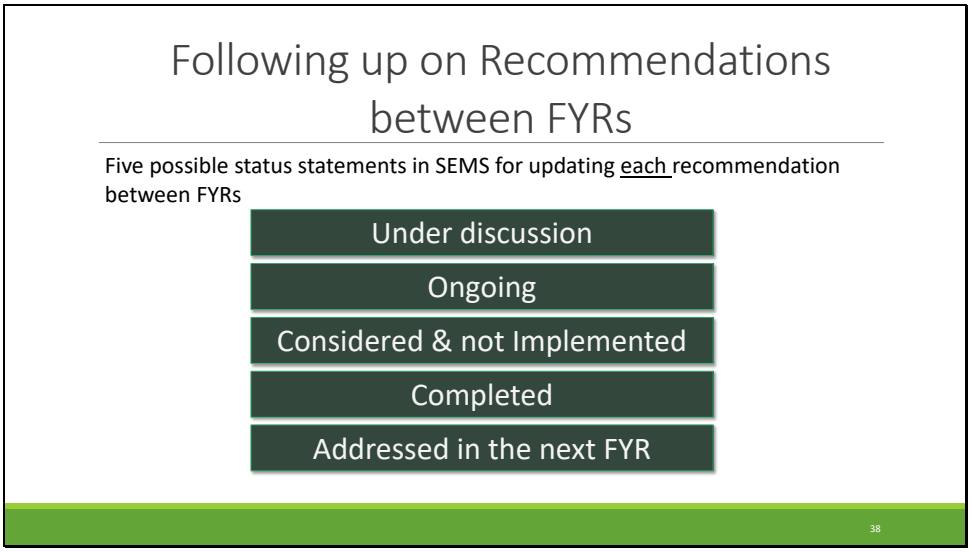

EPA monitors progress being made on recommendations between FYRs. EPA updates the Superfund database, SEMS, periodically and when milestones are met. There are five possible status statements in SEMS for updating each recommendation between FYRs:

- Under discussion (actual work not yet begun)
- Ongoing (actual work in progress)
- Considered and not implemented
- Completed
- Addressed in the next FYR (this is an option only for the last update, during the following FYR)

Documentation should be included in the site file to support each update. For example, a copy of a local ordinance, a completion report or email correspondence can document that an issue has been resolved. The material should provide some evidence of the date of completion. This information will also be reported in the Progress Since the Last FYR section of the next FYR. Issues and recommendations from the reports can also be discussed in the site's annual work plan and/or site management plan.

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Case Study

LAURA BUELOW, REMEDIAL PROJECT MANAGER

REGION 10

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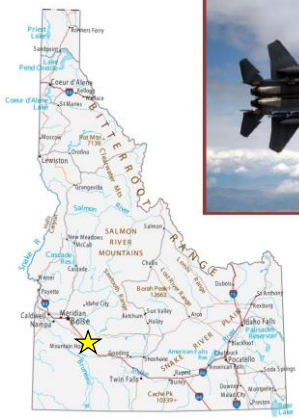
Mountain Home Air Force Base FYR Concurrence Letter



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RPM Perspective

- Encourage FF to use EPA FYR template
- Recommend meeting with FF agency and State to discuss main parts of FYR before drafted by FF
- Review before sending to FFRRO (compare to EPA FYR guidance)
- If straightforward, send FYR to FFRRO via email
- If uncertain about particular sections, schedule call to discuss with FFRRO Regional Representative to talk through

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Mountain Home Air Force Base FYR Concurrence Letter

"The EPA has reviewed the Issues, Recommendations and Protectiveness Statement in the Fourth Five-Year Review Report for Mountain Home Air Force Base (April 2017). EPA concurs with the identified issues, the recommended actions and the protectiveness statement for the four Operable Units covered in the review as presented in the April 2017 Draft. The Review evaluated the remedies at four OUs which comprise MHAFB.

Specifically, EPA concurs with the following protectiveness statements in the Five-Year Review:"

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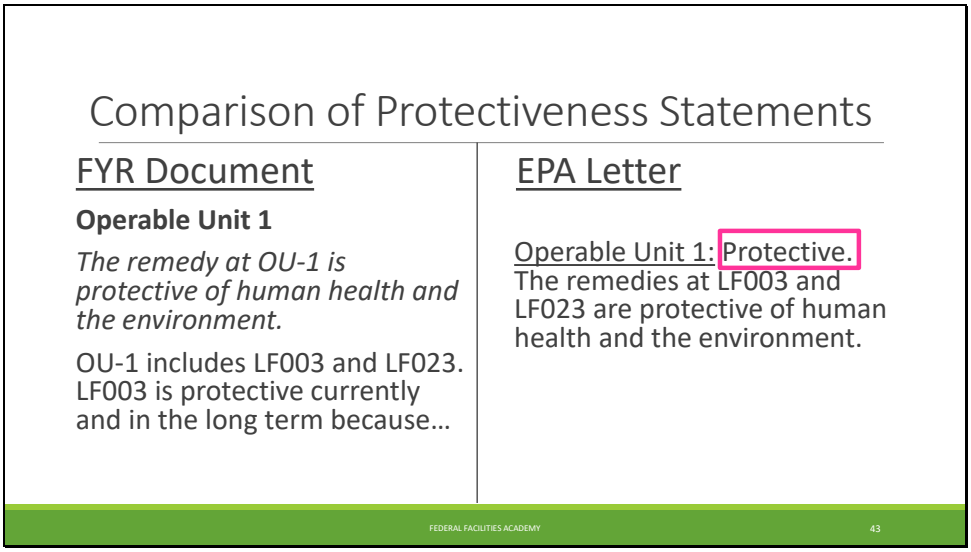
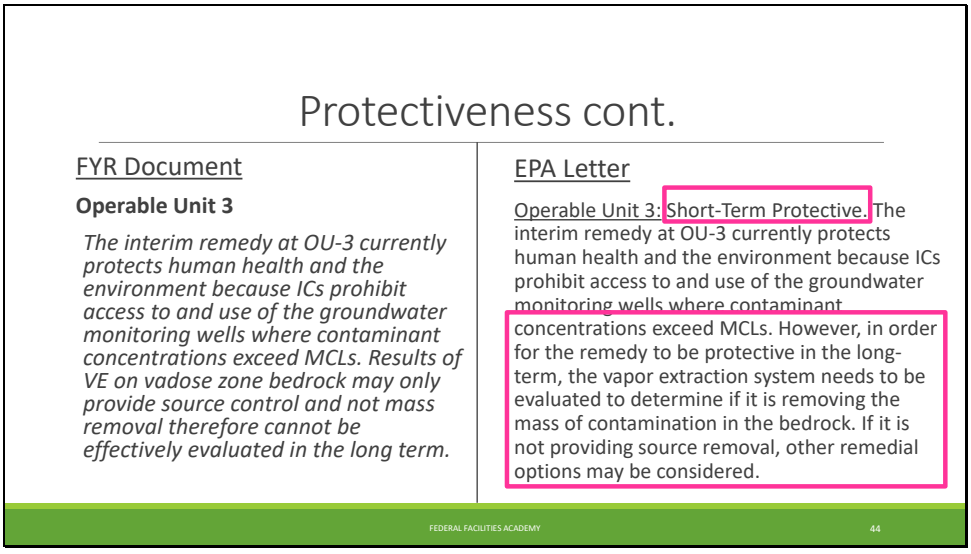


Slide 44



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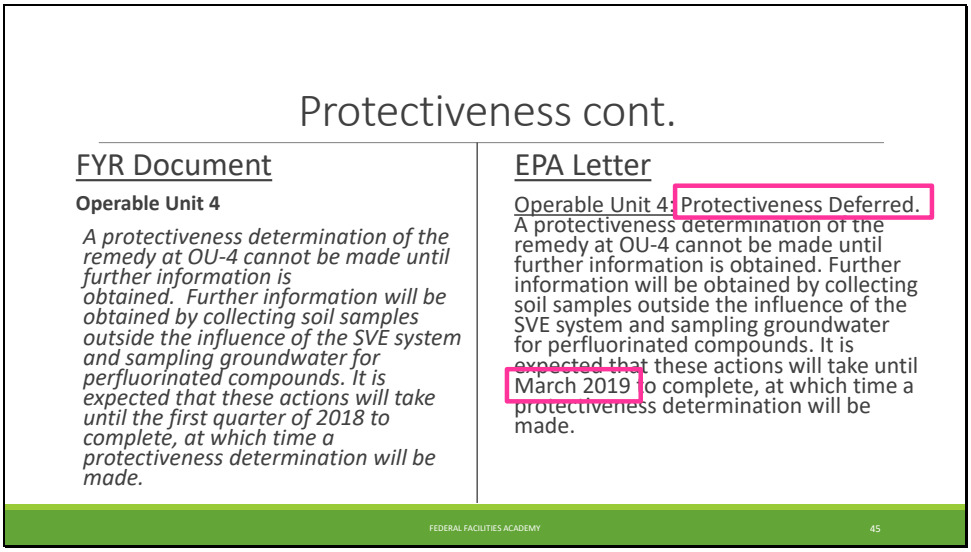

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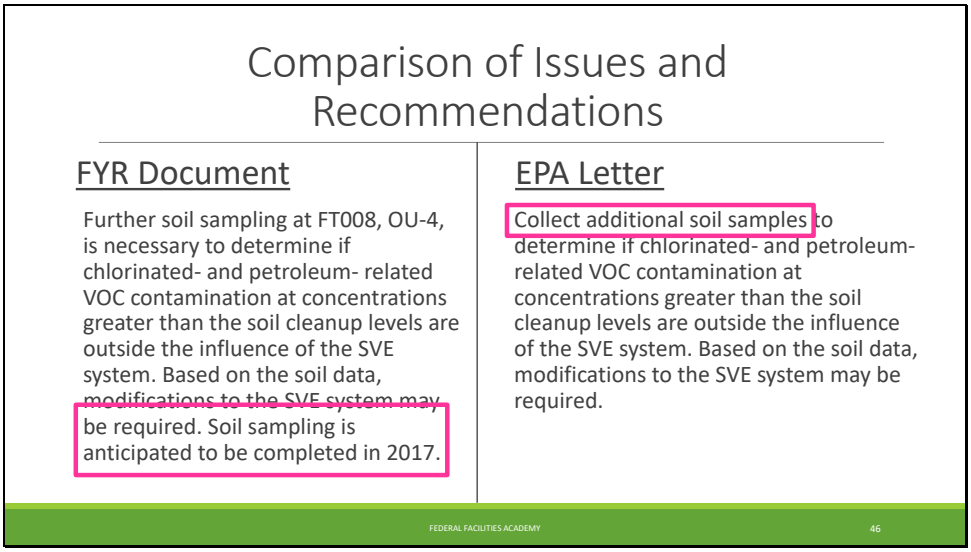

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Ending

"Thank you for the continued work with the EPA at Mountain Home Air Force Base. The deadline for completion of the next Five-Year Review is December 30, 2022."

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Independent Findings

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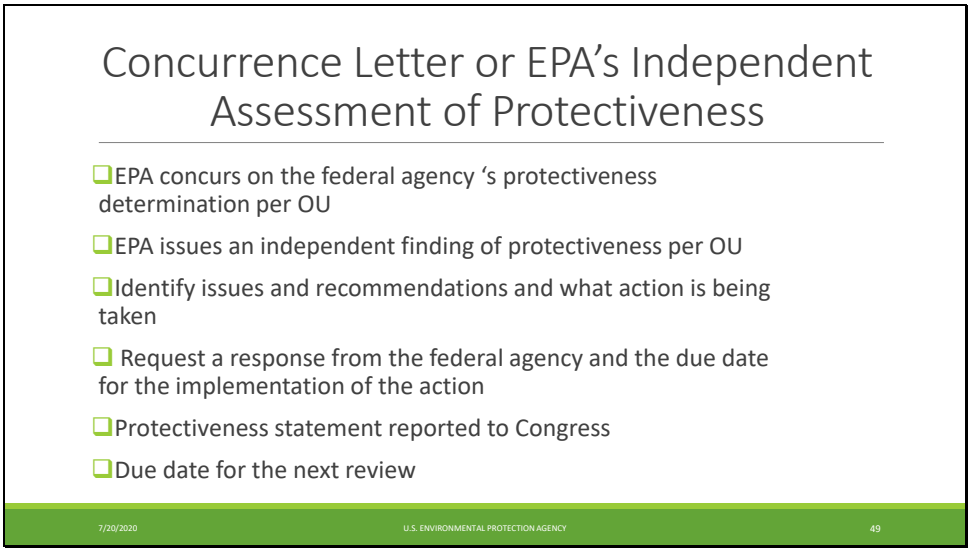

After the concurrence or non-concurrence letter is signed by the EPA Region, the EPA RPM has five days to submit the data to the EPA tracking system, SEMS. Progress on implementing the issues and recommendations identified in the report are updated and discussed between EPA Headquarters and the Regions. The EPA RPM is responsible for updating the issues and recommendations before they are due. The EPA RPM will revisit this information with the lead agency between FYRs. EPA submits an Annual Report to Congres which includes the protectiveness statements for each site that was due the fiscal year. EPA will also report on whether the Agency made an independent assessment of the protectiveness of the remedy in the Report to Congress..

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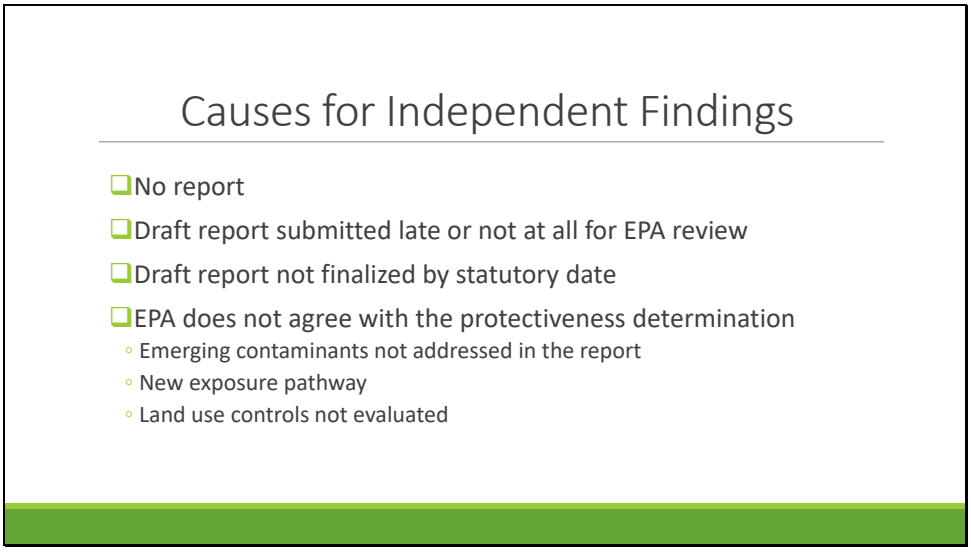

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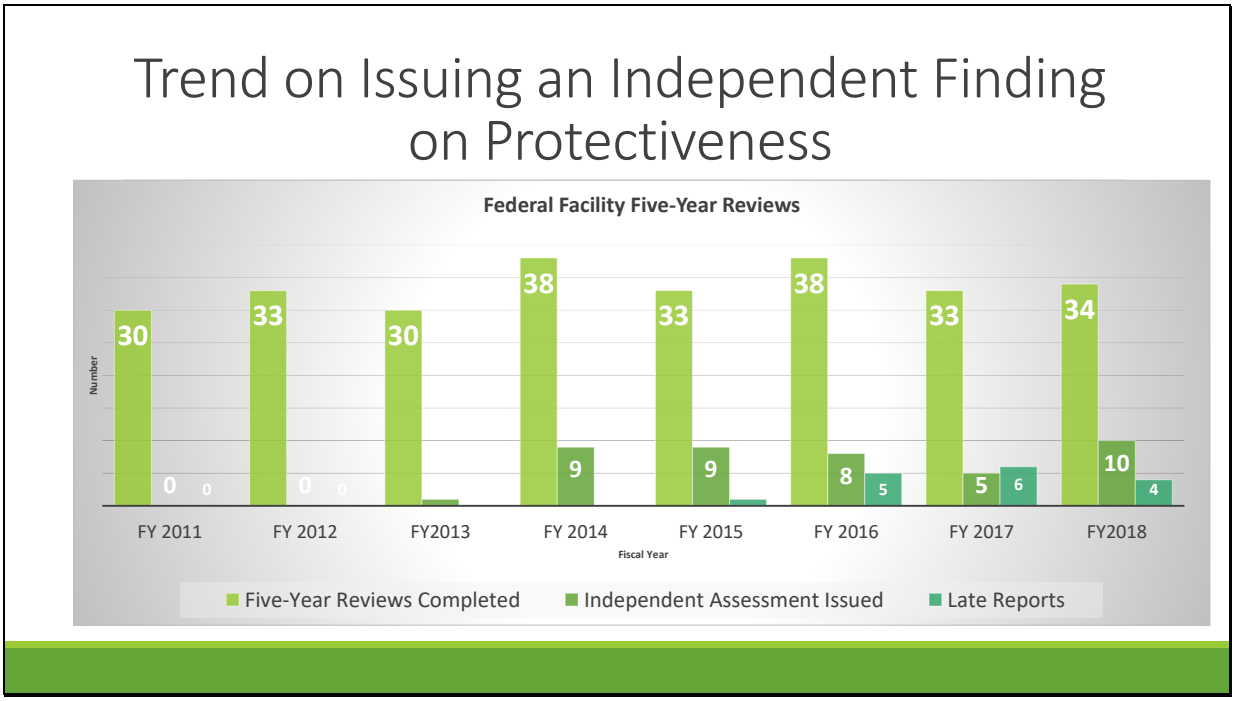

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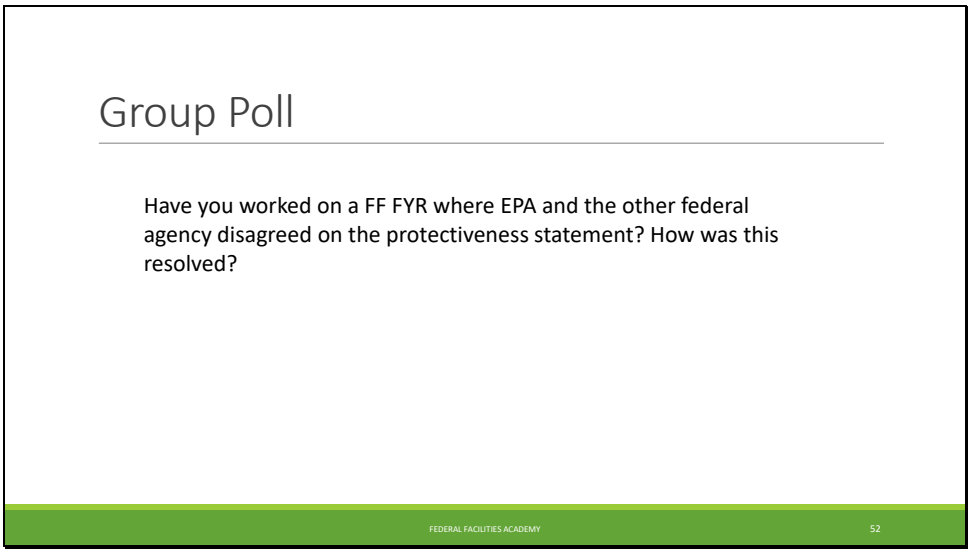

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Apply Your Understanding

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 by 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.

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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

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Apply Your Understanding

Scenario 3: As an EPA RPM, you received a draft 5YR 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

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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

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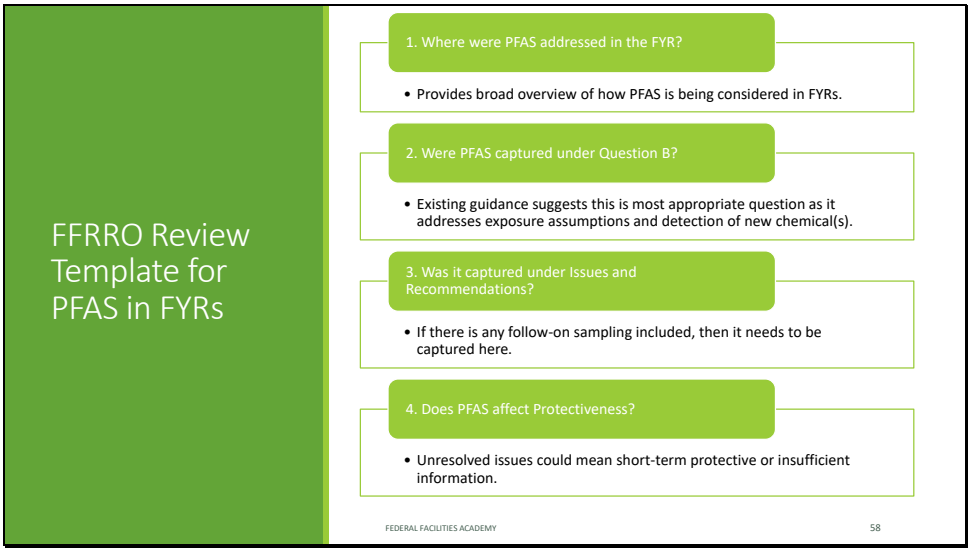

Systematic Approach:

- Review guidance to identify expectations.
- Develop review template to query current conditions.
  - Where are PFAS addressed?
  - Included in Question B?
  - Included in Issues and Recommendations?
  - Considered in Protectiveness Statements?
- Perform review to understand variability and identify best practices.
- Develop recommendations.

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HQ Federal Facility Contacts

- EPA RPMs should contact their FFRRO Regional Coordinator regarding HQ review of FYRs
- Monica McEaddy is the FFRRO FYR Coordinator

Region	FFRRO Regional Coordinator	FFRRO RC Backup
Region 1	Ben Simes	Jill Branby
Region 2	John Burchette	Mary Cooke
Region 3	Mary Cooke	John Burchette
Region 4	Emy Laija	Monica McEaddy
Region 5	Doug Maddox	Dianna Young
Region 6	Cal Baier-Anderson	Jyl Lapachin
Region 7	Jyl Lapachin	Cal Baier-Anderson
Region 8	Jill Branby	Emy Laija
Region 9	Dianna Young	Ben Simes
Region 10	Monica McEaddy	Doug Maddox (Munitions)/ Emy Laija (DOE)

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This is a list of FFRRO Regional Coordinators and a back up for each Region.

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FFRRO Regional Coordinators – Here to Help!


R1 Ben Simes


R2 John Burchette


R3 Mary T. Cooke


R4 Emy Laija


R5 Doug Maddox


R6 Cal Baier-Anderson


R7 Jyl Lapachin


R8 Jill Branby


R9 Dianna Young


R10 Monica McEaddy
FYR SME

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