



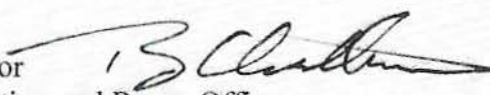
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 22 2012

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Correction to the Memorandum "Program Priorities for Federal Facility Five-Year Reviews"

FROM: Reggie Cheatham, Director 
Federal Facilities Restoration and Reuse Office

TO: Superfund National Policy Managers, Regions 1-10

The purpose of this memorandum is to correct the August 1, 2011 memorandum, "Program Priorities for Federal Facility Five-Year Reviews." This memorandum clarifies and replaces the language on page 4 related to the "Changes to CERCLIS to Reflect Due Dates." Beginning in Fiscal Year (FY) 2011, the Federal Facilities Restoration and Reuse Office (FFRRO) made a CERCLIS change so that all future five-year review planned completion dates will be automatically generated from the current five-year review planned completion date. This action will be triggered when EPA concurs on the next five-year review report or issues its own protectiveness determination for a site. All sites should have this change in future five-year review planned completion dates reflected by the end of FY2015, five years after the policy was first implemented.

Under the previous policy, if EPA concurred with the five-year review report on September 25, 2011, the next due date would be generated from that date and would be September 25, 2016. Under the new policy, if EPA concurs with the five-year review report on September 25, 2011, but the planned completion date of the five-year review report under the triggering subaction in CERCLIS was September 10, 2011, then the next five-year review report would be due September 10, 2016.

The purpose of the CERCLIS change was to address the concerns raised by the EPA Office of Inspector General regarding late reports and the fact that reports were completed after the five year statutory requirement. Starting in FY 2011, this change in policy is intended to ensure that the other Federal agencies strictly adhere to the statutory schedule for five-year reviews.

FFRRO recognizes that for a small subset of sites, the upcoming five-year review report is so late that the next due date that will be triggered is significantly sooner than five years away. FFRRO will discuss these sites with the regions as the need arises to determine if a data revision to the five-year review report due date should occur.

For those reports that are completed earlier than the five year timeframe, the planned completion date will still be the trigger for all upcoming five-year reviews. This means that the next planned completion date in CERCLIS will be greater than five years in the future. If the report is submitted more than three months early, the site will require a data revision in CERCLIS to reflect an earlier due date for the next five-year review, based on when the early report was submitted. For example, if the planned completion date is June 10, 2012 and the report is submitted and approved on January 10, 2012, then a data revision will be necessary in CERCLIS to change the next five-year review planned completion date to January 10, 2017. If a five-year review is submitted less than three months early, a data revision to the subsequent due dates will not be required. Therefore, if the planned completion date is June 10, 2012, and the report is submitted May 15, 2012, a data revision will not be required to move up the due date for the next five-year review.

If you should have any questions about this clarification on the CERCLIS due dates, please call Ellen Treimel at (703) 603-0720 or Monica McEaddy at (703) 603-0044.

cc:

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