



At a Glance

Catalyst for Improving the Environment

Why We Did This Review

Prior studies have identified weaknesses in the Superfund 5-year review process. We evaluated how the U.S. Environmental Protection Agency (EPA) identifies and monitors issues and recommendations in Reviews conducted at federal facility Superfund sites. We also examined how EPA achieves compliance with unimplemented recommendations and nonconcurrency issues.

Background

EPA's Superfund 5-year review is a required process that examines the clean-up remedies at Superfund sites where hazardous substances remain at levels that may pose unacceptable risks. The Reviews are required every 5 years. They determine whether remedies adequately protect human health and the environment. Federal facility Superfund sites (e.g., military sites) complete their own Reviews and submit them to EPA. EPA is required to report to Congress on these Reviews.

For further information, contact our Office of Congressional, Public Affairs and Management at (202) 566-2391.

To view the full report, click on the following link:
www.epa.gov/oig/reports/2010/20100602-10-P-0133.pdf.

EPA Should Improve Its Oversight of Federal Agency Superfund Reviews

What We Found

EPA does not have effective management controls to monitor the completion of Review recommendations at federal government Superfund sites. For Reviews signed since 2006, 84 percent of Review recommendations were overdue as of April 28, 2009. EPA regional staff do not consistently follow Superfund 5-year review process guidance and policies for updating the status of Review issues and recommendations in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). Overdue or unimplemented recommendations to improve underperforming or nonperforming clean-up remedies may increase the risk to human health and the environment.

Federal facilities are responsible for their own Reviews, and EPA states in a letter its concurrence or nonconcurrency with these Reviews. However, EPA's management of the concurrence process has resulted in some Reviews being conducted more than 5 years apart and some issues not being addressed. EPA has no management controls or policy for communicating, following up on, or resolving issues it does not agree with or it believes need improvement. Enforcement options are not clearly documented in EPA guidance or policy statements, and are not consistently understood or followed by staff.

We also identified data quality problems. Discrepancies in the presentation of issues and recommendations exist between the Reviews and CERCLIS, some data in CERCLIS are logically inconsistent, and recommendations from prior Reviews are not always closed out.

What We Recommend

We recommend that EPA implement improved management controls to monitor the completion of federal facility Review recommendations, ensure Reviews are submitted every 5 years, improve the management of the nonconcurrency process, clarify and describe enforcement options to achieve completion of recommendations, and improve data quality. EPA initially agreed with all recommendations, except for recommendation 3-1. After additional discussions, EPA agreed with all recommendations and proposed actions to address them. All recommendations are open with agreed-to actions pending. In its final response to this report, EPA should provide estimated or actual completion dates for all recommendations.