

Accessing Superfund Five-Year Reviews Listed in the EPA's Annual Reports to Congress

March 26, 2025 | Report No. 25-N-0022



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Abbreviations

EPA U.S. Environmental Protection Agency
FYR Five-Year Review
OIG Office of Inspector General

Cover Image

Picture of one Superfund site for which an FYR could not be located. (EPA image)

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OFFICE OF INSPECTOR GENERAL
U.S. ENVIRONMENTAL PROTECTION AGENCY

March 26, 2025

MEMORANDUM

SUBJECT: Accessing Superfund Five-Year Reviews Listed in the EPA's Annual Reports to Congress Report No. 25-N-0022

FROM: Nicole N. Murley, Acting Inspector General *Nicole N. Murley*

TO: Barry Breen, Principal Deputy Assistant Administrator performing delegated duties as the Assistant Administrator
Office of Land and Emergency Management

This is our report describing issues that the U.S. Environmental Protection Agency Office of Inspector General has identified regarding accessing Superfund information identified in the EPA's annual reports to Congress. Final determinations on matters in this report will be made by EPA managers in accordance with established audit resolution procedures.

You are not required to respond to this report because it contains no recommendations. If you submit a response, however, it will be posted on the OIG's website, along with our memorandum commenting on your response. Your response should be provided as an Adobe PDF file that complies with the requirements of section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that you do not want to be released to the public; if your response contains such data, you should identify the data for redaction or removal along with corresponding justification.

We will post this report to our website at www.epaoig.gov.



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Background, Scope, & Methodology

The U.S. Environmental Protection Agency Office of Inspector General is issuing this report addressing concerns regarding access to Superfund information identified in the EPA's annual reports to Congress. A Superfund site is a site that is contaminated with hazardous substances; the most serious sites that qualify for long-term cleanup are included in the EPA's [National Priorities List](#). A site can be a federal facility site, one located on land owned or operated by the federal government, or a nonfederal facility site.

Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, if remedial actions result in any hazardous substances, pollutants, or contaminants remaining at a Superfund site, a review must be conducted no less than every five years to ensure that the remedial action continues to protect human health and the environment. These reviews are known as Five-Year Reviews, or FYRs, and they provide an opportunity to evaluate whether remedies remain protective of human health and the environment. The Act also requires the EPA to submit an annual report to Congress about the FYRs due each year for both federal and nonfederal facility Superfund sites.

The work related to this report followed the OIG's quality control procedures for ensuring that the information in the report is accurate and supported. We conducted our work for this report from October through November 2024. We searched the EPA website for all FYRs listed in the 2021, 2022, and 2023 Superfund FYR Reports to Congress and identified which FYRs were available and which were not.

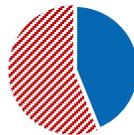
Findings

We discovered that more than half of federal facility and some nonfederal facility Five-Year Reviews, or FYRs, are not publicly available, despite the EPA stating in its annual Superfund FYR Reports to Congress that the FYRs can be found on its "Search for Superfund Five-Year Reviews" webpage. We are issuing this report to alert the EPA of this discrepancy. An FYR provides critical information to the public on the effectiveness of the remedy being implemented at the site and whether that remedy is or will be protective of human health and the environment.

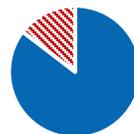
Criteria



The 2021, 2022, and 2023 Superfund FYR Reports to Congress state that copies of all FYRs can be accessed publicly via the EPA's "Search for Superfund Five-Year Reviews" [webpage](#). The EPA also committed to public access to FYRs in its 2001 *Comprehensive Five-Year Review Guidance* and 2020 *Superfund Community Involvement Handbook*. Furthermore, since 1983, EPA administrators have consistently expressed commitment to transparency in "[fishbowl memos](#)" sent to all EPA employees.



More than half, or 56 percent, of the FYRs for federal facility Superfund sites listed in the EPA's 2021, 2022, and 2023 Superfund FYR Reports to Congress could not be found via the search tool on the "Search for Superfund Five-Year Reviews" webpage. The red striped portion of the chart represents the FYRs not found.



About 15 percent of the FYRs for nonfederal facility Superfund sites listed in the EPA's 2021, 2022, and 2023 Superfund FYR Reports to Congress could not be found via the search tool on the "Search for Superfund Five-Year Reviews" webpage. The red striped portion of the chart represents the FYRs not found.

Some of these missing FYRs are available on their site profiles in the EPA's public "Search Superfund Site Information" [webpage](#). However, if the EPA keeps information inconsistently across multiple locations, public access and transparency is impaired. If an FYR is not available on the EPA's "Search for Superfund Five-Year Reviews" webpage, members of the public may erroneously conclude that the FYR does not exist.



Whistleblower Protection

U.S. Environmental Protection Agency

The whistleblower protection coordinator's role is to educate Agency employees about prohibitions against retaliation for protected disclosures and the rights and remedies against retaliation. For more information, please visit the OIG's whistleblower protection [webpage](#).

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