



The People's Task Force

Recommendations for the Future of Superfund

Voices from Contaminated Communities Across the Country

In response to the EPA Memorandum and Superfund Task Force:

We, the communities who have lived under the shadow of toxic contamination in our homes, workplaces, and schools, have formed the People's Task Force to respond to Administrator Pruitt's EPA Memorandum and Superfund Task Force, and voice our recommendations on the future of Superfund, based on our years of on-the-ground experience. The focus of Superfund cleanup must place public health as a priority, when weighed against private interests and money.

The memorandum, in line with its focus on streamlining the cleanup process, proposes reducing administrative and overhead costs. Such spending primarily funds two things: enforcement and community involvement. We strongly caution that these are not corners to be cut -- without proper oversight and public accountability, the Superfund would lose much of its remaining efficacy. Placing faith in responsible parties' remediation ignores that they have a vested interest in finishing as quickly and cheaply as possible, threatening the health of local communities.

Recommendations:

- There are already indications that polluting companies have changed their cleanup responses due to a perception that oversight will decrease under Administrator Pruitt. Devon Energy, which previously donated thousands to Pruitt, former Attorney General of Oklahoma, has recently backed off from settlement plans. According to the New York Times, Devon Energy "had been prepared to install a sophisticated system to detect and reduce leaks of dangerous gases"² for one of its gas plants, and "had also discussed paying a six-figure penalty to settle claims by the Obama administration that it was illegally emitting 80 tons each year of hazardous chemicals, like benzene, a known carcinogen." Since Pruitt's appointment, however, they now refuse to install emissions controls and are "re-evaluating their settlement posture."
- We are concerned over industry representatives calling for the development of exit strategies, usually including the removal of a site from the National Priority List (NPL). This may not sound

initially worrying, however, they simultaneously push for cleanup strategies that merely manage or contain toxic hazards, as opposed to complete removal or other permanent remedies (which are required by law to be considered under the Superfund Amendments and Reauthorization Act of 1986). When 'bandaid' methods are employed at NPL sites, or in situations where permanent treatment technologies do not exist, exit strategies will not be possible, as the sites require continual maintenance and monitoring. This is evident through the history of the Superfund: only 30% of the sites where construction is completed have been removed from the NPL, as the rest require long-term management. Thus, these two goals for which industry advocates are incompatible. If Responsible Parties want their sites to be delisted from the NPL, they must either pursue complete cleanup or accept the necessary continual oversight to ensure that toxic hazards are under control.

- The expansion of the Superfund Alternatives program, in which the responsible parties agree to cleanup a site and avoid being listed on the National Priority List, provides benefits to the polluter while hampering citizen participation that is provided for under the Superfund program. In particular, Technical Assistance Grants (when provided) are awarded by the responsible corporation rather than EPA, a neutral entity. The alternative approach came about primarily because responsible parties did not want their site added to the Superfund list because of the stigma it creates. Not only does this approach allow companies to avoid the perceived stigma associated with an NPL site, but it also allows companies to avoid listing an NPL site as a liability in its financial papers. This can have a significant impact, especially if the company is to be sold. This backroom cleanup alternative further raises our concern over decreased community involvement and the lack of sufficient EPA oversight.
- The directive on stakeholder relations gives no mention of the primary stakeholders under the Superfund program - the communities whose lives and well-being are continually threatened. These communities have the right to information and input on these decisions upon which their health and welfare hinges. Economic development, while important to community revitalization, can never supersede public health.
 - Community Involvement Plans (CIP) must be drafted, finalized, and implemented.
 - Community Advisory Committees (CAC) must include real community members who live and work around Superfund sites, not just local government representatives. Local

knowledge offers indispensable on-the-ground insight and perspective, and we strongly support all stakeholders at the discussion table early in the process.

- EPA transparency is critical to improving agency-stakeholder relations. Cleanup goals must be set in an explicit and interactive manner, beginning with the disclosure of all site information as soon as it is available.
- The health studies performed at Superfund sites are inadequate, often resulting in findings that are inconclusive and short-sighted. Exposure to environmental pollution must receive the same type of government response as infectious diseases or mass cases of food contamination, including a timely response. Objective, independent, thorough, long-term studies of residents' health conditions are crucial to determining appropriate cleanup strategies and monitoring response efficacy.
- We must reinstate the Polluter's Pay Tax if we are truly committed, as Administrator Scott Pruitt claims, to restoring Superfund cleanups "to their rightful place at the center of the agency's core mission."³ Most importantly, private investment and "alternative funding mechanisms" can't come close to compensating for the Superfund budget cuts and the high volume of abandoned sites.

¹<https://www.epa.gov/newsreleases/epa-announces-superfund-task-force>

²<https://newrepublic.com/article/142813/trumps-epa-set-break-major-promise>

³https://www.washingtonpost.com/news/energy-environment/wp/2017/05/11/epa-head-says-he-wants-to-prioritize-superfund-cleanups/?utm_term=.6a7ed4254adc

Signatures:

Advocates For Springfield, NY

Alliance of Nurses for Healthy Environments

Appalachian Sierra Club

Athens County Fracking Action Network

Cease Fire Campaign

Center for a Competitive Waste Industry

Center for Health, Environment & Justice

Center for Public Environmental Oversight

Chesapeake Climate Action Network

Chinese Staff & Workers' Association

Newtown Creek Superfund Site - Brooklyn, NY

Citizens Against Rocky Flats Contamination

Citizens Against Toxic Exposure

Escambia Treating Company Superfund Site -
Pensacola, FL

Citizens Coalition for a Safe Community

Citizens for Safe Water Around Badger

US Army Badger RCRA Site - Baraboo, WI

Clean Water Action, New Jersey

Clean Water for NC

Concerned Citizens for Nuclear Safety

Concerned Citizens of Lake Township

Uniontown Industrial Excess Landfill Superfund
Site - Stark County, OH

**Coshocton Environmental and Community
Awareness**

Citizen Science Community Resources

Tonawanda Coke Inc. Superfund Site -
Tonawanda, NY

Desert Citizens Against Pollution

Edwards Air Force Base Superfund Site -
Edwards AFB, CA

Downwinders at Risk

Edison Wetlands Association

Environmental Stewards Consulting, Inc

Equity for Children

Food & Water Watch

Gowanus Canal Superfund Site - Brooklyn, NY

Fort Ord Environmental Justice Network

Fort Ord Superfund Site - Monterey, CA

Freshwater Future

Friends United for a Safe Environment

Koppers Co. & Texarkana Wood Preserving Co
Superfund Site – Texarkana, TX

Generation Now Network

Georgia Research Environmental Economic

Hunter Army Airfield Superfund Site - Hinesville, GA

Greater Birmingham Alliance to Stop Pollution

35th Avenue Superfund Site - Birmingham, AL

Greenaction for Health and Environmental Justice

Hunters Point Naval Shipyard Superfund Site - San Francisco, CA

HabitatMap

Hands Across the River Coalition, Inc.

New Bedford Harbor Superfund Site - New Bedford, MA

Hazardous Toxic and Radioactive Waste

George Air Force Base Superfund Site - Victorville, CA

Jesus People Against Pollution

De-Listed Reichold Chemical Newsom Brothers Superfund-Site - Columbia, AL

Kentucky Environmental Foundation

Late Bloomer Project

LEAD Agency, Inc.

Tar Creek Superfund Site - Picher, OK

Maryland Environmental Health Network

Midwest Environmental Justice Organization

Midwestern Ohio Occupational Health Nurses

Native Organizers Alliance

Neighbors Allied for Good Growth

Newtown Creek Superfund Site - Brooklyn, NY
NuHart Plastics Superfund Site - Brooklyn, NY

Newtown Creek Alliance

Newtown Creek Superfund Site - Brooklyn, NY

NYWaterProject

Olympic Environmental Council

Oregon Physicians for Social Responsibility

Portland Harbor Superfund Site - Portland, OR

Peaceful Skies Coalition

People for Safe Water

Tremont City Barrel Fill Superfund Site - Tremont, Ohio

Philadelphia PSR

Port Townsend AirWatchers

Protect All Children's Environment

CTS of Asheville Inc. Superfund Site - Asheville, NC

Sellersville x 3

AMETEK U.S. Gauge / Radium Company of America Superfund Site - Sellersville, PA

Silver Valley Community Resource Center

Bunker Hill Superfund Site - Kellogg, ID

San Jacinto River Coalition

San Jacinto River Waste Pits Superfund Site - Highlands, TX

Save Our Sky Blue Waters

Sierra Club Northeast Florida

Jacksonville Superfund Site - Jacksonville, FL

Sierra Club Delta Chapter (Louisiana)

STLMoms

West Lake Landfill Superfund Site - Bridgeton,
MO

Texas Campaign for the Environment

San Jacinto River Waste Pits Superfund Site -
Highlands, TX

Texas Environmental Justice Advocacy Services

Texas Health & Environment Alliance, Inc

San Jacinto River Waste Pits Superfund Site -
Highlands, TX

Texas Low Income Housing Information Service

The Carpe Diem Voice

Thunder Hill Park Alliance

Toxics Action Center

**Tri-Valley CAREs (Communities Against a
Radioactive Environment)**

Lawrence Livermore National Laboratory
Superfund Site - Tracy, CA