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National Priority List/Superfund: Blog Law and Environment Discusses U.S. Environmental Protection Agency Proposal to Add Vapor Intrusion Pathway Assessment to Hazardous Ranking System

Arkansas Environmental, Energy, and Water Law Blog

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The blog *Law and Environment* has a February 8th post addressing a United States Environmental Protection Agency (“EPA”) proposal to revise the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) National Priority List (“NPL”) Hazardous Ranking System (“HRS”).

The blog post notes that EPA has proposed to add vapor intrusion as a factor to be considered when evaluating the hazards posed by a contaminated site.

The CERCLA NPL is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants or contaminants throughout the United States. It is intended primarily to guide EPA in determining which sites warrant further investigation. The sites are listed on the NPL upon completion of HRS screening.

The HRS is the scoring system EPA uses to evaluate relative threats to public health and the environment posed by the uncontrolled releases or threatened releases of such substances. It uses information obtained from the initial, limited investigations conducted at a site. The federal agency uses HRS to assign each site a score ranking from 0-100 based on the likelihood that contaminants have been or will be released from the site, physical and toxicological characteristics of the contaminants present at the site, and the human population or sensitive environment actually or potentially exposed to release from the site.

Sites scoring at least 28.50 are eligible for placement on the NPL.

The *Law and Environment* blog post notes that EPA’s proposal would make vapor intrusion a component of the HRS. It further states that EPA’s HRS currently evaluates four exposure pathways which include:

- Groundwater migration
- Soil exposure
- Surface water migration
- (Outdoor) Air migration

The proposed revision would:

... restructure the soil exposure pathway and rename it the *Soil Exposure and Subsurface Intrusion* or (Ssi) pathway, to include both vapor intrusion and intrusion from contaminated groundwater.

A link to the blog post, which in turn includes a link to EPA's proposed revisions can be found here:

<http://www.lawandenvironment.com/2016/02/08/epa-proposes-to-add-vapor-intrusion-pathway-assessment-to-superfund-listing-system/>.