

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

December 21, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

The Energy and Commerce Committee has oversight responsibility for the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). While we appreciate that the Environmental Protection Agency (EPA) has indicated an intent to prioritize cleanup under the Superfund program, we write to express concern regarding the list of Superfund sites that EPA has targeted for “immediate, intense attention,” which EPA released on Friday December 8, 2017. During the Environment Subcommittee hearing the previous day Members specifically asked you about this list, and despite many of the sites included being of particular concern to Committee Members, we did not receive any indication from you that these sites would be included.

The Superfund cleanup program already involves a significant amount of process, and it is not clear how creating another list of sites will expedite cleanups. Furthermore, it is not clear how the sites on the “Top-21 List” (the List) were selected. The documentation published with the List states that “these sites have site-specific issues that will benefit from the Administrator’s direct engagement” and that “these are sites requiring timely resolution of specific issues to expedite cleanup and redevelopment efforts.”


The information published with the List indicates that there is no commitment of additional funding associated with a site’s inclusion on the list. We question what it will mean for sites to be on the List and whether the potential stigma of being included on a list targeted for “immediate, intense action” with no additional funding, will help or hinder the progress at these sites.

In light of our concern in this area, we request that you provide the Committee with the following additional information:

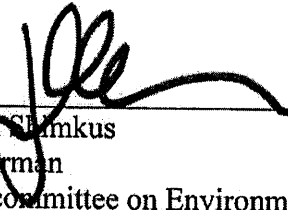
1. Regarding how the decision was made to list the twenty-one sites, please explain what it means that you will provide "direct engagement," and how you think that your direct involvement at these sites will expedite cleanup and redevelopment efforts.
2. Who was consulted in making the decision about what sites to put on the List? We request that you provide the Committee with detailed information regarding the process undertaken, identify when the decision was made to include each of these twenty-one sites on the List, and identify who was consulted in making the decision about which sites should be included.
 - a. Specifically, did EPA consult the States in which the sites are located?
 - b. The potentially responsible parties at these sites?
 - c. The Community Advisory Groups associated with these sites?

Thank you for your consideration of these questions. We would appreciate your response by January 8, 2018. If you have any questions, please contact Tina Richards of the Majority Committee staff at (202) 225-2927.

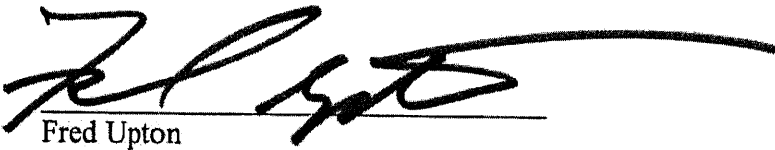
Sincerely,



Greg Walden
Chairman



John Shimkus
Chairman
Subcommittee on Environment



Fred Upton
Chairman
Subcommittee on Energy