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CERCLA/Superfund Sites Targeted for "Immediate/Intense Action": December 21st U.S. House of Representatives Committee on Energy and Commerce Oversight Letter

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The Chairman and two Subcommittee Chairmen from the United States House of Representatives Committee on Energy and Commerce ("Committee") addressed a December 21st letter to Administrator Scott Pruitt of the United States Environmental Protection Agency ("EPA") expressing concern about the agency's recent decision regarding certain Comprehensive Environmental Response, Compensation, and Liability Act /Superfund sites.

EPA had previously issued a December 8th news release identifying 21 sites that it has targeted for what it describes as "immediate and intense actions." ([See previous blog post here.](#))

EPA had stated that the list was developed by considering sites:

... that can benefit from Administrator Pruitt's direct engagement and have identifiable actions to protect human health and the environment.

The agency had stated the sites require "timely resolution of specific issues to expedite cleanup and redevelopment efforts."

The December 21st letter was authored by:

- Energy and Commerce Committee Chairman Greg Walden
- Subcommittee on Energy Chairman Fred Upton
- Subcommittee on Environment Chairman John Shimkus

The Committee members reference a hearing attended by Administrator Pruitt in which they are stated to have noted other Superfund sites that were of particular concern. They express concern that no indication was received from Administrator Pruitt that the December 8th list would include the sites that were chosen. As a result, they state "it is not clear how the sites on the 'Top-21 List' ... were selected."

An additional question is are their ramifications associated with the sites chosen to be on this list and if there is a potential "stigma" of being targeted for "immediate, intense action."

The Committee Chairman/Subcommittee Chairmen ask that the Administrator address the following questions:

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.
- Specifically, did EPA consult the States in which the sites are located?
 - The potentially responsible parties at these sites?
 - The Community Advisory Groups associated with these sites?

[A copy of the December 21st letter can be downloaded here.](#)