Message

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Sent: 7/26/2018 1:40:41 PM
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Subject: SF TF one year and MT SF sites TPs for 26-27 July 2018 RA trip.docx
Attachments: SF TF one year and MT SF sites TPs for 26-27 July 2018 RA trip.docx

Doug,
TPs for today's media engagements with the Montana Standard and the Montana Public Radio.

Text below for mobile device reading:

Superfund Take Force Anniversary Talking Points

The Superfund Task Force was commissioned on May 22, 2017, to provide recommendations on how EPA could streamline and improve the Superfund program. One year ago, on July 25, 2017, EPA issued the Superfund Task Force Report, which included 42 recommendations in five goal areas:

- Expediting Cleanup and Remediation;
- Re-Invigorating Responsible Party Cleanup and Reuse;
- Encouraging Private Investment;
- Promoting Redevelopment and Community Revitalization; and
- Engaging Partners and Stakeholders.

On the one-year anniversary of the EPA's Superfund Task Force Report, EPA is announcing significant progress in carrying out the report's recommendations, including the recent Agreement in Principle for the Butte Priority Soils Operable Unit within the Silver Bow/Butte Area Superfund Site and ongoing consent decree negotiations at the Anaconda Smelter Superfund Site.

Highlights of EPA's progress in carrying out the Task Force recommendations at the one-year anniversary include:

- **Achieving Key Milestones at Sites on the Administrator's Emphasis List.** EPA released the initial Administrator's Emphasis List (AEL) on December 8, 2017, which included 21 National Priorities List (NPL) Superfund sites across the United States targeted for immediate and intense attention. Substantial progress has been made at AEL sites, and EPA will publish the list's next update at the end of July 2018.

- **Moving More Sites Towards Deletion/Partial Deletion.** Due to more direct attention to the sites potentially eligible for partial or full deletion from the NPL, the program achieved 7 full site deletions and 2 partial deletions since EPA released the Task Force report. An additional 10 sites are proposed for partial or full deletion following public comment.

- **Improving Information on Human Exposure Status.** EPA launched a Human Exposure Dashboard providing real-time human exposure status for all NPL sites in an easily accessible webpage. In FY2017, the Agency designated an additional 24 sites as having human exposure to contamination under control for a total of 1,493 sites under control.

- **Promoting Redevelopment and Community Revitalization at Targeted Sites.** After releasing a Redevelopment Focus List of 31 NPL sites with the greatest reuse potential, EPA has responded to over 120 redevelopment-related prospective purchaser inquiries and created a new informational mapping tool that provides site-specific details on each of the 31 sites. Two noteworthy examples of EPA's redevelopment efforts are the Libby Asbestos site in Libby, Montana; and the Peoples National Gas site in Dubuque, Iowa.

- **Developing Tools and a Process to Encourage Third-Party Investment.** EPA created a national team of redevelopment experts led by EPA and the U.S. Department of Justice (DOJ) to help address liability concerns of third-party entities and developers. EPA and DOJ issued a new policy that encourages more frequent consideration of Bona Fide Prospective Purchaser Agreements and Prospective Purchaser Agreements, when appropriate, to foster cleanup and reuse of NPL sites.

- **Engaging with Partners and Stakeholders.** EPA held or participated in more than 1,370 public meetings and 3,190 in-person meetings or interviews with community members living near Superfund sites. Senior EPA leaders also met on a regular basis with environmental justice groups as well as other Federal agencies and a variety of state and tribal organizations to obtain their ongoing input on Task Force work. The Agency also conducted online "listening sessions" open to the public to obtain feedback on implementing many of the enforcement-related recommendations.

Over the next year, EPA will:

- Continue to expedite cleanups and move sites towards deletion. These efforts will place a greater emphasis on the internal tracking of site progress using visual management tools to evaluate where each site is in the Superfund process, how long it has been there, and the reasons for any delays.

- Use adaptive management on a more structured and broader scale and formally implement adaptive management principles at select pilot sites by the end of calendar year 2018.

- Collaborate with our state and tribal partners through the Environmental Council of States, Association of State and Territorial Solid Waste Management Officials, and Tribal Waste and Response Steering Committee to complete a thorough evaluation of groundwater beneficial use policies with a focus on beneficial use determinations.

- Continue to re-invigorate responsible party cleanup and reuse by using best practices and modifying model enforcement language to reduce responsible party cleanup negotiation timeframes and shorten PRP lead cleanups.

- Encourage private investment in the cleanup and reuse of contaminated sites by finalizing guidance and developing new model work agreements and comfort letters to create certainty and assist third parties in identifying investment opportunities at Superfund sites.

- Implement the Superfund Remedial Acquisition Framework to reduce cleanup costs, foster innovation, and increase efficiency.

- Continue to focus on stakeholder and partner engagement during all Superfund cleanup process phases, including improving risk communication at Superfund sites with long-term stewardship requirements.

Anaconda

In April 2018, EPA visited with the community in Anaconda to provide an update on site activities. EPA presented

- Information regarding ongoing efforts on the current consent decree negotiations with Atlantic Richfield and Anaconda Deer Lodge County,
- provided a progress report and update on the Anaconda Deer Lodge "punch list" of priorities for their community, and,
- announced that EPA partnered with the Agency for Toxic Substances and Disease Registry (ATSDR) and Montana Department of Public Health and Human Services and ADLC Health Department to evaluate health concerns shared by the community.
- presented information on the school dust interior sampling that took place in the spring. EPA is following up its current school sampling efforts this summer and will have results before the school year begins.

Currently, EPA is involved in the design and implementation of a gardening study at the request of the community to determine if arsenic or lead is contaminating vegetable and fruit grown in Anaconda's soil.

In May 2018, ATSDR along with local and state partners conducted a community listening session to understand the community's health concerns. In July 2018, ATSDR returned to the community to provide their findings and announce that an exposer investigation will be conducted.

EPA will begin the process of delisting by looking at two partial deletions of two operable units this year.

OU15-Mill Creek, where cleanup is complete. Anaconda-Deer Lodge County is working with developers to reuse the site.

OU 11 – Flue Dust, where cleanup is complete. Atlantic Richfield is developing a plan to minimize and manage leachate generated from the repository.

Butte

On May 17, 2018 the U.S. Department of Justice and the Atlantic Richfield Company filed a motion to formally request a modification of the confidentiality order. On May 22, 2018 Judge Haddon of the United States District Court for the District of Montana U.S. v. Atlantic Richfield Company et al., the Superfund lawsuit related to the Clark Fork Basin Superfund sites, ordered the modification of the confidentiality order for the Butte Priority Soils operable unit of the Silver Bow Creek/Butte Area Superfund site.

The Courts actions allow the release of major terms of the conceptual agreement that was reached to cleanup BPSOU. On May 30, 2018, the CD parties released the agreed upon conceptual plans at two public meetings, On June 25th, more detailed plans were released for public review known as the draft Remedial Elements Work Plan. This document provides more detailed information about these proposed cleanup projects. In late summer or early fall 2018, EPA and MDEQ plan to release a proposed plan for an Amendment to the 2006 BPOU ROD.

In addition to the May 30th public meetings to announce the release of the conceptual plans, EPA conducted an availability session and workshop with the community on June 12 to have a more in-depth discussion of the proposed future cleanup work. EPA has also been involved in numerous discussion and meetings with the Restore our Creek Coalition to solicit input and revive feedback on the conceptual plans.

In August 2018, EPA will participate in a series of public meetings hosted by Butte Silver Bow County which will include:

- a short overview of the conceptual agreement as it relates to the remedial elements along with an availability session/workshop to receive input and feedback about the proposal and its components,
- Discussions regarding end land use goals and determine how the public might want to achieve these goals.

Additional Actions

On July 25, 2018 EPA attended and prepared materials for a CTEC (site Technical Assistance Grant Recipient) workgroup meeting on the upcoming public health study (medical monitoring evaluation) that is to be conducted every five years. The main goal of the meeting was to engage principle stakeholders in the community to identify ways of better engaging the public in ongoing work. The next health study is due for completion in 2019.

- The evaluation of the RMAP medical monitoring program and associated data is conducted to assess the effectiveness of the program. Blood lead data are the focus because lead is a primary chemical of concern related to Superfund activities and because the utility of blood lead data in assessing exposures is well established. There is also a wealth of information about how various sources, in addition to Superfund sources, affect blood lead levels. Medical monitoring data on blood lead levels provides an integrated measure of lead exposure from all sources. Analysis of the blood lead data was the focus of the 2014 evaluation.
- The second evaluation focuses on disease rate data for Butte to provide a second line of investigation to identify health outcomes that could possibly have a link to Superfund or other community issues. This evaluation will also provide an update to the analysis included in the 2014 evaluation.

On August 20, 2018 EPA will provide a site tour for the 2018 annual meeting of the Council of State Governments (CSG) West Legislative Council on River Governance.
EPA along with MDEQ continues to review and comment various documents submitted from Atlantic Richfield for technical elements of the Butte Priority Soils Operable Unit.
The site team has continually engaged Sen. Tester and Sen. Daines staff on monthly update calls/meetings regarding the ongoing work and public engagements and the Anaconda and Butte sites, along with other Superfund sites in Montana.

EPA continues to engage and attend Superfund Advisory and Redevelopment Trust Authority board (also known as SARTA) board meetings. This is part of Butte Silver Bow County.