Message

**From:** Lyndsey Gilpin Ex. 6
**Sent:** 4/2/2018 5:46:30 PM
**To:** Jones, Enesta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65b8e6c6e5ca4a7a9ae85d98a4c8eedb-EJones02]
**CC:** Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
**Subject:** Re: Urgent: Story for the Daily Beast on preventing flooding at Superfund sites

Thanks, Enesta. Appreciate this

On Thu, Mar 29, 2018 at 9:28 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Lyndsey,

**On background:**

**Given what happened during hurricane Harvey, with toxic facilities and sites flooding and releasing chemicals into air and water, and with many Superfund sites around the U.S. at risk of flooding, what is EPA doing to prevent spills from happening in the future?**

CERCLA and the National Contingency Plan provide the foundational basis for consideration of potential extreme weather impacts at Superfund sites. The existing Superfund remedial process for planning and implementing contaminated site cleanups provides structure to consider both potential extreme weather impacts and to take action, as warranted, to increase remedy resilience. Extreme weather vulnerability analyses and adaptation planning are integrated throughout the Superfund process.

**What tangible ways are there to ensure Superfund sites or other toxic sites/facilities are kept safe? How can those be better monitored and managed to prevent spills when areas flood?**

Cleanups at Superfund sites are designed to withstand flooding events. Generally, Superfund sites have plans in place that consider potential vulnerabilities, including to natural disasters. These plans also include actions EPA may take to respond to potential spills or contamination resulting from a natural disaster event.

**Which Superfund sites are most at risk of flooding (I am particularly interested in hearing about those in the Southeastern U.S.)**

The Superfund sites most at risk of flooding are those in floodplains and coastal sites at risk of storm surges and hurricanes. The online EPA tool Cleanups in My Community allows you to search for EPA cleanup sites that are in flood zones. You can find it here: https://www.epa.gov/cleanups/cleanups-my-community#map

**What is the EPA already doing to prevent spills from happening during floods? How can communities/local govts/companies help these efforts and who bears the most the responsibility for them?**

With regards to chemical and oil facilities, there are several prevention and preparedness regulations which require these facilities to take steps to prevent chemical accidents and oil spills from occurring. Under the Risk Management Plans (RMP) program (40 CFR Part 68), facilities that hold more than a threshold quantity of any of 140 regulated toxic and flammable substances are required to identify the hazards associated with their process and regulated substances as well as the safeguards used or needed to control or mitigate the hazard. As

part of these requirements, covered facilities must update and revalidate their process hazard analyses (PHA) at least once every five years to ensure the PHA addresses all relevant hazards, including extreme weather events.
The Facility Response Plan requirements under 40 CFR Part 112 require owners/operators of facilities that could cause substantial harm to the environment to plan for a worst case scenario discharge of oil. When planning for the amount of resources and equipment necessary to respond to the worst case discharge, adverse weather conditions must be taken into consideration. Adverse weather means weather conditions that make it difficult for response equipment and personnel to clean up or remove spilled oil, and that must be considered when identifying response systems and equipment in a response plan for the applicable operating environment.
With regards to local communities/governments and facilities, under the Emergency Planning and Community Right-to-Know Act (EPCRA), local emergency planning committees—which include emergency responders and facilities—are required to identify chemical risks in their community and develop and implement an emergency plan to address those risks. Many of these plans are all-hazards plans and include preparing for potential extreme weather events and the hazards associated with them, including loss of power, flooding, and/or hurricanes.

For more information, please refer to the following:

- A fact sheet for the RMP program listed on EPA's hurricane response page.
  See: https://www.epa.gov/sites/production/files/2017-09/documents/rmp.pdf

- Also, a hurricane response fact sheet on Water Safety includes some information on Superfund sites.
  See: https://www.epa.gov/hurricane-response/hurricane-response-fact-sheets

**Is the EPA taking climate change effects like extreme weather events and unpredictable precipitation patterns into consideration when planning how to clean up and manage Superfund sites? How so?**

Extreme weather vulnerability analyses and adaptation planning are integrated throughout the Superfund process. For example, remedial investigations characterize the extent of the contamination and associated risk, and the feasibility study evaluates cleanup alternatives based on National Contingency Plan criteria that includes low-term effectiveness and permanence. See 40 CFR ~ 300.430(e)(9)(iii) at https://www.law.cornell.edu/cfr/text/40/300.430. Remedial designs provide an opportunity to consider site vulnerabilities and adaptation measures to help maximize remedy resilience.

Five-Year Reviews evaluate protectiveness of existing remedies including whether or not "any other information has come to light that could call into question the protectiveness of the remedy."

**From:** Lyndsey Gilpin [Ex. 6
**Sent:** Monday, March 26, 2018 1:20 PM
**To:** Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
**Subject:** Urgent: Story for the Daily Beast on preventing flooding at Superfund sites

Hi Dawn,

I am a reporter based in Kentucky writing a story for the Daily Beast about the potential risk for flooding of EPA Superfund sites and other toxic waste sites. Given what happened after Hurricane Harvey in Houston, when sites flooded and contaminated local neighborhoods, I was hoping to hear from EPA about ways to

prevent this from happening/address this in the future at Superfund sites along the Southeastern coast in particular.

Thank you for your time and I look forward to hearing from you.

Best,

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Lyndsey Gilpin
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