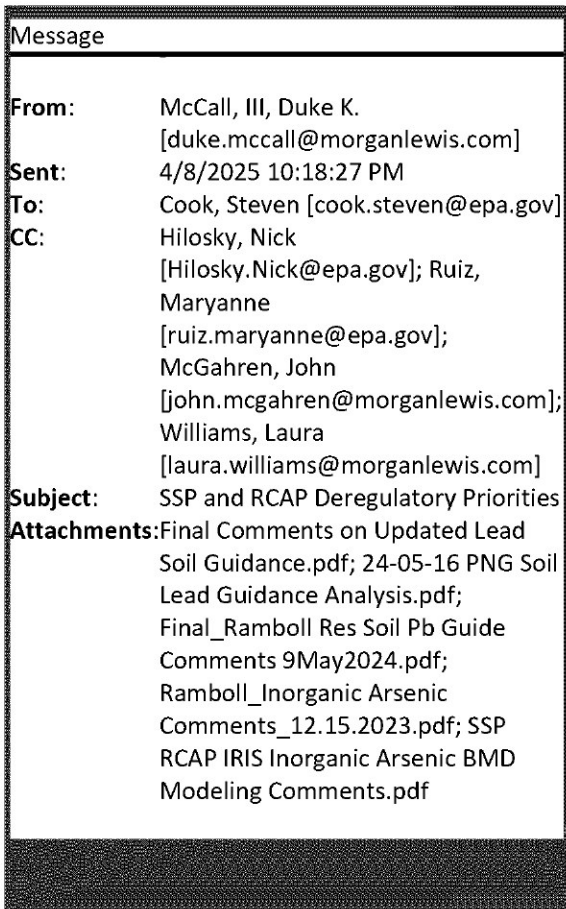




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Steven:

On behalf of the membership of the Superfund Settlement Project (SSP), I want to express our gratitude for your willingness to meet with SSP in June to discuss our ideas on how to improve the effectiveness of the Superfund program. We also are looking forward to the Senate EPW committee hearing on Improving Future Management of the Superfund Program and hope that hearing will provide additional fodder for discussion.

In the interim, we hope you might consider engaging with SSP and its sister association, the RCRA Corrective Action Project (RCAP), on two discrete issues that we view as advancing the Administrator's Powering the Great American Comeback Initiative and the Administration's broader deregulatory efforts. First, as you no doubt are aware, the Biden EPA issued controversial "Updated Residential Soil Lead Guidance for CERCLA Sites and RCRA Corrective Action Facilities" (Lead Guidance) in January 2024, without providing an opportunity for public comment. In doing so, the Agency (i) essentially imposed what amounts to regulatory requirements without providing the regulated community the ability to raise important legal, technical, and implementation concerns with the Lead Guidance, (ii) failed to account for the substantial economic costs that will result from the Lead Guidance (which SSP and RCAP estimate to be between \$6.5 and \$34 *billion annually*), and (iii) deprived itself of the opportunity to provide more clear direction on how to apply the Lead Guidance to site-specific evaluations. A copy SSP and RCAP's extensive comments on the Lead Guidance is attached.

Another issue on which SSP and RCAP submitted extensive comments and which SSP and RCAP respectfully submit the Agency should reconsider is the draft IRIS Toxicological Review of Inorganic Arsenic. As explained in SSP and RCAP's comments on the draft IRIS Toxicological Review of Inorganic Arsenic, a copy of which also is attached, the Toxicological Review lacked clear documentation and transparency regarding the methods used making it difficult to evaluate the accuracy of the analyses and conclusions.

We understand that the Agency is seeking to advance competing priorities. We submit that the revisiting the Lead Guidance and reconsidering the IRIS Toxicological Review of Inorganic Arsenic should be among those priorities. We would welcome an opportunity to discuss our concerns with you in more detail.

Best regards,

Duke

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