

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]
From: Neil J Naraine
Sent: Fri 10/6/2017 6:57:31 PM
Subject: San Jacinto letter
[\[Untitled\].pdf](#)

Hi Ryan – please find attached a letter from International Paper Chairman and CEO Mark Sutton to Administrator Pruitt regarding San Jacinto.

Thanks, Neil.

Mark S. Sutton
Chairman and
Chief Executive Officer

6400 POPLAR AVENUE
MEMPHIS TN 38197 USA

T 901 419 7804
F 901 419 4633

October 6, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W., 1101A
Washington, DC 20460

Dear Administrator Pruitt:

International Paper appreciates your leadership on Superfund reform efforts and looks forward to changes that will encourage remediation efforts that are protective of public health, based on sound science, and the result of a transparent administrative process. I would like to bring to your attention one particular site, the San Jacinto River Superfund site in Houston, Texas (the "Site").

In light of the reported imminent decision on a final remedy for the Site, International Paper believes that it is imperative that the U.S. EPA reopen the comment period to allow data generated in the aftermath of Hurricane Harvey considered as part of the remedy selection process. Reopening the comment period to accommodate new significant data was previously recognized as permissible and necessary in a June 6, 2017 letter sent by U.S. EPA Region 6 to McGinnes Industrial Maintenance Corporation. A rush to judgment on a full removal remedy for the Site that does not consider the impact of Hurricane Harvey, the success of the interim cap, the merits of the proposed enhanced cap, and the risks of excavation may jeopardize the San Jacinto River and Galveston Bay, the Houston community, and the Agency's Superfund process.

The armored cap at the Site remains intact and performed exceptionally well during Hurricane Harvey, a 500+ year storm event. As soon as the Site was accessible, inspection and sampling activities were undertaken, with U.S. EPA oversight, to ensure the cap's integrity. Those efforts identified two areas of one square foot each where rock needed to be replaced, over the entire 16-acre capped Site. As U.S. EPA noted in its press release, maintenance work to address these areas was performed immediately following the storm. Additional

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sampling taking place this week is expected to confirm that no release occurred from those exposed areas. Despite media reports to the contrary, there is no evidence to suggest a release of hazardous material to the environment occurred.

In late 2016, U.S. EPA proposed a remedy of excavation and removal, a remedy that years of study and analysis by the responsible parties, and the Army Corps of Engineers, indicates would endanger public health and safety and potentially cause significant releases of the waste into the San Jacinto River. U.S. EPA has not identified engineering practices that can remove this material without risking releases of waste to the river. The Army Corps of Engineers has stated that “short-term releases for the new full removal [alternative] is [sic] about 400,000 times greater than the releases from the intact cap.”

Further, removal of the material from the Site is estimated to require over 17,000 heavy truck shipments, increasing the geographic area of risk. Finally, and perhaps most significantly, the excavation remedy would require exposure of the waste material for multiple hurricane seasons – an unreasonable risk given the forces we witnessed during and after Hurricane Harvey. Fairly considered, the proposed excavation and removal remedy is clearly a higher risk alternative than strengthening the protective cap that has already proven its effectiveness against hurricanes and significant flooding events.

International Paper agrees with both the Army Corps of Engineers and the Texas Commission on Environmental Quality that an enhanced cap is the best permanent remedy for the Site. Data gathered following Hurricane Harvey confirms that and must be taken into consideration before a final remedy is selected.

International Paper, as one of the world’s leading producers of fiber based packaging, pulp and paper, strives to do the right things, in the right ways for the right reasons – all of the time. It is with this commitment that we earnestly request that you consider all available facts surrounding the fully intact and protective cap at the Site and not decide to remove it and risk potentially disastrous damage to public health and the local environment.

Best regards,

A handwritten signature in cursive script, appearing to read "M. S. Sutton".

jt

cc: The Honorable Greg Abbott