

9/07

EPA's Actions versus Allegations

By John B. Askew

There he goes again. Harold Andersen in his column Aug. 23 continues to attack the integrity and professionalism of the workers I direct at the regional office of the U.S. Environmental Protection Agency. He is right about one thing. There is a scandal in connection with the multi-million dollar yard cleanup of lead-contaminated residential properties in eastern Omaha.

But he is wrong in accusing EPA of being involved in a scandal. The real scandal here is the writer's drumbeat of attacks on EPA with half-truths, distortions and misrepresentations. The largest scandal of all is that Mr. Andersen doesn't mention the lead-contaminated victims EPA is and has been helping. He appears to be far too obsessed with diverting blame from the responsible parties who spewed lead into the air and poisoned Omaha citizens for more than twelve decades.

EPA is working in Omaha at the express request of the City Council. Nine years ago the council was alarmed to learn that blood lead levels for hundreds of the city's children were at least three times the national average. EPA determined there was imminent and substantial endangerment and began removing lead-contaminated soils from high-risk residential properties. The removals funded by the Superfund program were designed to get the most lead away from children at risk in the quickest possible time.

What Mr. Andersen thinks is a damning document is a handbook EPA issued four years after the cleanup started. In one passage the agency does discuss the ideal way to eliminate all traces of lead from residential properties. The section of the handbook quoted by Mr. Andersen recommends that lead-contaminated exterior house paint be addressed before soil is removed from a yard.

He conveniently ignores parts of the handbook that do not support his argument. He wants Congress to correct EPA's actions. We applaud Congress for its foresight in passing the Superfund law. Our handbook states that the agency should seek to avoid using Superfund money for removing exterior lead-based paint.

The only circumstances under which Superfund money can be used for this purpose is to prevent recontamination of soils that have been remediated, and that action is permissible only after determining that other sources of funding are not available. The handbook goes on to state that EPA should promote cleanup of exterior lead-based paint by others such as the potentially-responsible parties, local governments, or individual homeowners.

Mr. Andersen knows very well that Asarco sprayed lead contamination over Omaha for more than 125 years and that Union Pacific owned the property on which Asarco operated from 1871 to 1946. EPA has named U.P. a "responsible party" at the Omaha lead site and issued an administrative order in 2005 requiring U.P. to clean up the properties.

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Superfund

When others won't act, EPA has to do so. We acted first to remove the massive amounts of lead in residential yards, which represents a well-defined health risk .

And, since no one else has stepped up to stabilize exterior paint and address the problem of future paint deposition to the drip zone of homes in Omaha, EPA is exercising the option -- not the priority -- to deal with the limited potential recontamination issue with Superfund money.

Mr. Andersen cited a 1996 University of Cincinnati study of lead remediation efforts in Granite City, Ill., to suggest that recontamination of cleaned-up soils could occur after several years. He apparently ignored a 1996 review that found the Granite City study to be "flawed in design, analysis and interpretation." This review is available at: www.epa.gov/region07/cleanup/npl_files/Bornschein_study_review.pdf

A better comparison would be the Bunker Hill Superfund site in the Silver Valley of Idaho. That 2003 study found that at former smelter sites, an approach that does not address yard soil contamination will not be successful in reducing interior dust exposures.

EPA is, and always has been, aware there could be some threat of recontamination posed by deteriorating exterior lead-based paint. We even included paint stabilization as a component of the Interim Remedy in 2004. We are aggressively pursuing execution of a paint stabilization program even though we have no reason to believe that gross recontamination of yards will occur in the short term while the program is developed. As EPA has previously stated, the percentage of homes that will qualify for the exterior lead-based paint work is quite small compared to the number of yards that were contaminated by smelter emissions.

Contrary to the insinuations of Mr. Andersen, EPA is convinced that sound public health policy demands that soil remediation should continue at properties where existing risks due to soil lead exposure are greatest, while the potential for recontamination from future flaking paint is assessed and a paint stabilization program is developed.

Readers should examine the differences between EPA's actions and the allegations of Mr. Andersen. Our hard-working professional staffers and contractors are improving life for scores of Omaha children every week by removing the most serious amounts of lead from their environment. Mr. Andersen is busy constructing a smokescreen that can hide a locomotive company.

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