

United States Senate

WASHINGTON, DC 20510

October 20, 2004

The Honorable Michael O. Leavitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Leavitt:

We are writing because of our serious concern over the continuing, unacceptable slowdown in cleanups at Superfund sites throughout the country. Once again, the United States Environmental Protection Agency is not sufficiently funding Superfund site cleanups.

More than half of Superfund new construction projects that needed cleanup funding in fiscal year 2004 received none. In a letter dated October 13, 2004, EPA states that 34 projects at 29 sites in 19 states, out of a total of 61 projects, did not receive funding. One of these, Pemaco, located in California, has been on the National Priorities List since 1999. Elizabeth Mine in Vermont has been listed since 2001. This continues EPA's trend of not funding Superfund new starts: 7 sites received no money in 2002; more than three times as many received no funding in 2004.

EPA states that the reason for not funding these cleanups is insufficient funds. While the additional \$150 million requested by this administration for fiscal year 2005 is a step in the right direction, it is insufficient to address the needs of the program, and it continues to shift the costs of cleaning up abandoned sites from the polluters to the taxpayers. As a result, there has been a slow down of Superfund cleanups, from an average of 87 cleanups completed per year at the end of the Clinton administration to 40 per year under the Bush administration.

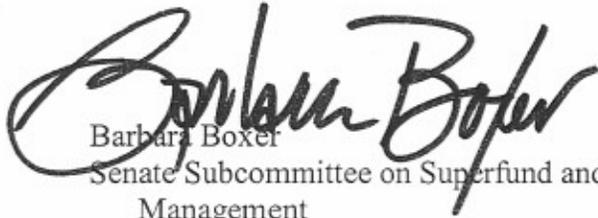
At a time when 1 in every 4 Americans – 70 million people, including 10 million children – lives within 4 miles of a Superfund site, this is unacceptable. Only the most hazardous waste sites – sites that pose unacceptable risks to human health and the environment – are listed on the National Priorities List. Unfortunately, they do not appear to be a priority for this Administration.

To understand more fully the impact of the EPA's cleanup slowdown, please provide the following information for each of the sites listed in EPA's October 13th letter that received no funding: the amount of funding requested by the regions for each site; and the activities that will not be undertaken due to the insufficient funding. Also, please provide a list of sites that received partial funding in fiscal year 2004, the amount of funding requested by the regions for each site, the amount of funding that was obligated and that was expended at each site, and the shortfall in funding for each site.

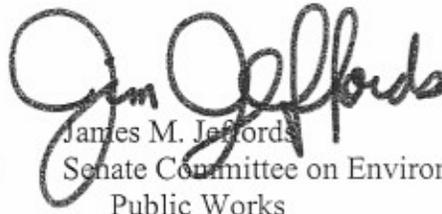
To halt the slowdown, protect public health and safety, and ensure economically viable communities, we must provide sufficient funds for expeditious clean up of Superfund sites. The only way to do this is to reinstate the polluter pays fees, which would raise \$1.5 billion in 2005 and \$16.2 billion through 2013. Accordingly, we urge the EPA to fully fund the cleanup of all Superfund sites and to take the one necessary step to ensure full funding: reinstating the polluter pays fees.

We look forward to your expeditious response to this request and your commitment to reinstate the polluter pays fees and ensure full funding of Superfund. Should you have any questions, please contact Sandra Schubert of Senator Boxer's staff at 202-224-2738 or Malcolm Woolf of the Senate Environment and Public Works Committee staff at 202-224-7931.

Sincerely,



Barbara Boxer
Senate Subcommittee on Superfund and Waste
Management



James M. Jeffords
Senate Committee on Environment and
Public Works