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**FILE COPY** Testimony of Richard D. Green

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U.S. Environmental Protection Agency, Region IV

Before the House Committee on Commerce

Subcommittee on Oversight and Investigations

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Mr. Chairman, members of the Subcommittee, thank you for the opportunity to be here

today. I am Richard D. Green, Director of EPA's Waste Management Division in the Agency's

Region 4 office, Atlanta, Georgia. I am responsible for our programs dealing with hazardous

substance regulation and cleanup, primarily under the Comprehensive Environmental Response,

Compensation and Liability Act, and the Resource Conservation and Recovery Act. EPA's role

at the Department of Energy's Paducah Gaseous Diffusion Plant in Kentucky, and my remarks,

focus on EPA's oversight role as overseers of the Department of Energy's cleanup. EPA also

has regulatory responsibilities for facility compliance with permits for its industrial operations

governed by a variety of other environmental laws. The Commonwealth of Kentucky is

authorized as the primary environmental regulator in lieu of EPA under many EPA statutes, and

we work closely with Kentucky in providing oversight of DOE's activities pursuant to those

authorities.

I want to preface my comments about the cleanup at Paducah by saying that EPA takes

the concerns of current and former workers regarding possible exposures in the DOE workplace

very seriously. My focus on the cleanup program does not imply any disinterest in those

The outgrowth of the initial work required by the Administrative Order resulted in two key CERCLA Records of Decision: Interim Remedial Action of the Northwest Plume, and the

release, as well as identifying other problem areas. Phase I study) to determine the nature and extent of the contamination that caused the offsite to homes in the area of contamination and initiated an environmental study (known as the to nearby residents. Working with EPA and Kentucky, DOE extended water lines requirements. The Department immediately agreed to provide bottled drinking water of the contaminants, including radionuclides, which exceed Safe Drinking Water Act sampling of drinking water, and has completed an initial investigation to determine all sources order, DOE has supplied drinking water to private residences, continues to conduct monthly and to cleanup any related contamination serving as the source for that problem. Under this Order by which DOE agreed to protect nearby homeowners from contaminated groundwater On November 23, 1988, EPA issued a CERCLA 104/106 Administrative Consent

identify other cleanup activities that can be accelerated. of the scrap metal piles. EPA welcomes the opportunity to work with DOE and Kentucky to representatives stand ready to reauthorize cleanup activities to address issues such as the removal and has been receiving priority attention. In fact, EPA, Kentucky, and DOE facility team investigating health and safety issues. The cleanup of Paducah is a large and complex task I continue to follow the news reports about Paducah and the efforts by the DOE's concerns. Rather, my remarks will address efforts under EPA's authorities.

Interim Remedial Action of the Northeast Plume. These two cleanup decisions require the Department to extract the most contaminated groundwater underlying the site. While these initial cleanup actions were underway, the site was proposed for the National Priorities List in 1993, and in May 1994, EPA finalized the addition of the facility to the Superfund National Priorities List. EPA, Kentucky and the facility have identified areas of known or suspected contamination, set priorities for study and cleanup and implemented detailed studies of the highest priority sites. These include additional areas of groundwater contamination, water and sediments of streams near the facility, soils on-site, and areas the Plant used for disposal. Six remedial actions have been selected and implemented addressing groundwater, sediments in ditches, and surface soil at areas within the industrial complex. Two removal actions have been taken, one for a radiologically contaminated concrete rubble pile off the industrial complex and a second for PCB contaminated soils within the complex. Several detailed remedial investigations are underway and more are set to begin as early as this month.

While these actions were being planned and implemented, a Federal Facility Agreement pursuant to CERCLA Section 120 was negotiated and signed February 13, 1998. The FFA helps coordinate the actions of DOE, EPA, and Kentucky and sets milestones for DOE's cleanup program. The Agreement also requires the three agencies to coordinate with the public about cleanup efforts and to participate in the Site Specific Advisory Board formed in August 1996.

The actions taken thus far, while significant and appropriate, are by no means sufficient

to address all of the known or potential contamination associated with the Paducah facility.

EPA's context for approaching its oversight of this facility's cleanup is that Paducah, just as

the rest of the nuclear weapons complex, was self-regulated throughout much of its operational

history. That leads us to expect to find additional areas of contamination, both on and off-site.

Setting priorities between response to known problems and searching for unknown or

suspected problems will always be a formidable challenge. The community's concerns

regarding additional unknown areas of contamination are taken very seriously by this Agency.

The environmental priorities at Paducah should be reconsidered in light of new

concerns being raised. EPA supports a differently balanced response to known problems as

well as a broad-based search for any areas that may be contaminated but not presently known.