STATEMENT OF MARIANNE HORINKO
ASSISTANT ADMINISTRATOR
OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE
U.S. ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
SUBCOMMITTEE ON
SUPERFUND, TOXICS, RISK AND WASTE MANAGEMENT
UNITED STATES SENATE

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Good morning. I am pleased to appear today to address the cleanup of asbestos contamination in Libby, Montana, and the Agency's efforts to identify other sites nationwide that received vermiculite from Libby. EPA views the Libby asbestos site as one of the most significant Superfund sites nationally, and the Agency is committed to working with our state and federal partners to take all steps necessary to protect human health and the environment in Libby and related sites.

Background

Libby is a small town of about 2,600 residents in northwest Montana. Approximately 10,000 more people live in about 2000 homes located in the surrounding valley. Between 1924 and 1991, a vermiculite mine owned originally by the Zonolite Corporation and purchased by W.R. Grace in 1963, was one of Libby's largest employers. The now-closed vermiculite mine once produced a large proportion of the world's vermiculite - with an estimated output of more than 5 million tons from 1963 to 1990. The processed vermiculite ore mined in Libby has been used as a soil conditioner and in the manufacture of insulation, packaging and other materials.

Over the years it operated, the mine and related facilities employed a total of about 2000 workers in Libby. The ore was milled and beneficiated (partly cleaned of impurities) on the mine property. After milling, the ore was transported to a screening plant at which the ore was graded prior to shipment by railroad to other processing plants around the country. It also went to one of two processing plants which operated in Libby during different periods in the mine's history, prior to bagging for shipment.

One of the impurities in the vermiculite ore was asbestos. Contamination resulting from operation of the mine and related processing facilities has led to serious public health impacts among members of the Libby community. Asbestos health effects include malignant mesothelioma, an incurable and often fatal cancer of the chest cavity which in many cases is associated with asbestos exposure. Further, asbestos exposure is associated with an increased risk of all lung cancers, particularly when combined with smoking. Asbestos exposure can also cause asbestosis, a debilitating respiratory illness caused by progressive scarring of the lung tissue that can also be fatal.

Investigations and Cleanup Related to Libby Asbestos

EPA is working closely with our federal partners to address the asbestos contamination and related public health concerns in Libby and other communities across the country. EPA, the Agency for Toxic Substances and Disease Registry (ATSDR) and the U.S. Public Health Service (PHS) have mobilized an emergency response team to work in Libby. Coordinating closely with the community, the team conducted inspections of the former mine and processing facility, interviewed local physicians, and

collected environmental samples to determine the need for environmental clean up. The team discovered significantly elevated incidence of asbestos-related disease in Libby, as well as evidence of asbestos contamination in several areas within the town.

EPA is currently taking action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund) to protect human health and the environment in Libby. W.R. Grace, an owner and operator of the vermiculite mine and facilities, filed for Chapter 11 bankruptcy protection in late 2000. The United States continues to pursue reimbursement for Superfund activities through action in the Montana Federal District Court.

Medical Investigations

In November 1999, ATSDR and the PHS undertook medical investigations in Libby to determine the magnitude of asbestos-related health impacts in the community. These investigations, which were requested and funded by EPA, consisted of a morbidity/mortality study, development of a formal epidemiological case series, and health screening.

The mortality study for the period 1978-1998 showed that mortality in the Libby community from asbestosis was approximately 40-60 times higher than expected for such a community. ATSDR conducted health screening of roughly 6,200 individuals, including former workers, family members of workers and current and former residents of Libby. Preliminary results of the health screening of these groups showed up to 18% with lung abnormalities. Significantly, more than half of this sample were not

former W.R. Grace workers or their family members. In short, all of the medical investigations documented evidence of wide-spread disease and mortality resulting from exposure to asbestos.

Environmental Investigations and Cleanup

EPA initiated a Superfund emergency investigation and cleanup actions in Libby. The initial investigations focused on the mine and processing areas, residences, parks and schools. From December 1999 though April 2002, EPA collected more than 5,000 samples and conducted interviews to characterize the extent and severity of asbestos contamination in and around the town of Libby. Preliminary results showed that high amounts of asbestos-contaminated vermiculite remained at the mine, the mine road, processing areas, the mine tailings pile/pond, and in residential and shared community areas.

In June of 2000, EPA initiated and oversaw cleanup actions at two former processing areas to address the worst asbestos contamination. EPA has since started cleanup actions at the mine road, the high school track and city park facilities where vermiculite ore tailings were found. Cleanup has also started at several residences where piles of vermiculite or contaminated equipment from the mine were found. More cleanups are planned to address elevated levels of asbestos, both at mining facilities and in the community.

Federal agencies have maintained a program of early and meaningful outreach and coordination with the Libby community. This has included meeting frequently with the Libby Community Advisory

Group, maintaining a storefront office in an accessible downtown location and frequent one-on-one communication with concerned Libby residents.

On May 9, 2002, EPA approved a new Action Memorandum Amendment for the Libby Asbestos site, authorizing additional work at known locations and sources, including certain residential contamination in homes associated with vermiculite insulation.

EPA determined that it was appropriate to address the insulation in Libby based upon the unique circumstances in Libby. EPA has determined that this material does fall within our response authorities, as detailed in the Agency's Action Memorandum Amendment of May 2002. In addition to the level of known cumulative exposure and multiple pathways, EPA determined that the remaining asbestos releases in Libby would not have been addressed by any other authority in a timely manner.

EPA has made progress with residential cleanup in Libby. We have resumed the removal of vermiculite ores and mining wastes from residential yards. We are starting to address two homes with elevated amphibole asbestos concentrations in interior dusts. EPA expects to begin the removal of vermiculite insulation from homes within one week. There are currently 55 properties on the "priority list" for clean up. These are properties that have high levels of amphibole asbestos in their yards, plus either vermiculite insulation or interior contamination as well. EPA expects to complete the response at these 55 properties this summer.

In support of these activities, EPA is completing designs, plans, and contracts to construct an asbestos cell at the Lincoln County Landfill. This will create a permanent disposal location for the vermiculite insulation, and facilitate year round operations. Region 8 should begin construction in mid-July.

Work is also completing clean up and restoration actions already underway. EPA expects to finish the restoration of the High School, Middle School, Screening Plant, Export Plant and remove the remaining contamination at the KDC-Flyway this season.

EPA has committed more than $60 million in fiscal years 2000 through 2002 for environmental investigations, cleanup actions and medical investigations in Libby. Current estimates place fiscal year 2003 needs at approximately $21 million. These future funding need projections are based upon assumptions about the number of homes or additional properties which may require clean up, and may be subject to significant revision as field work progresses.

The ongoing work of EPA and our partners will help determine how best to complete the long-term remediation in Libby. To date, site investigation and cleanup activities have taken place under Superfund emergency or "removal" authorities. Given the widespread contamination and public health concerns in Libby, the Governor of the State of Montana designated the Libby site as the State's one-time, top priority site for cleanup. In response, EPA listed the Libby site on the Superfund's National Priorities List (NPL) of contaminated sites. EPA is committed to working with our partners to see that

all necessary actions are taken to protect public health in the Libby community.

EPA Investigations and Cleanup Outside of Libby

While EPA is currently taking action under Superfund to protect human health and the environment in Libby, the Agency is working with ATSDR to study other locations across the country where vermiculite ore from the Libby mine was shipped for processing.

Between 1924 and 1991, the Libby mine produced much of the world's supply of vermiculite. EPA identified 240 locations across the U.S. that may have received Libby vermiculite for processing and distribution. Of these locations, EPA determined that 22 require further investigation by the Agency. When it appears that another agency may need to be involved, EPA shares its findings with other federal or state agencies so that they can determine if additional follow-up is warranted.

One notable example of a situation warranting a federal / state agency approach is the significant asbestos contamination at the Western Minerals site in Minneapolis, Minnesota. Western Minerals operated as a vermiculite processing facility from 1937 until 1989. Between 1964 and 1989, Western Minerals is estimated to have processed more than 118,000 tons of vermiculite ore from the Libby, Montana mine. The waste material generated during the processing of vermiculite was made available to the public for use as fill material for driveways and yards. Since September of 2000, EPA and the State have been sampling and removing asbestos contamination at the former plant site and nearby residential yards. EPA and the Minnesota Department of Health (MNDOH) have received

many reports of asbestos-related disease in residents who have lived in the predominantly residential area surrounding the facility. An ATSDR-funded survey is being conducted by the MNDOH to determine the health impacts in former workers and nearby residents at the Western Minerals site.

ATSDR is currently working with state health departments to conduct or initiate reviews of health statistics for asbestos-related disease in areas of former vermiculite processing facilities across the country. EPA will continue to coordinate with ATSDR on this effort to identify any additional locations that may require environmental sampling or cleanup.

Response to Inspector General Report

On March 31, 2001, the EPA Office of Inspector General (IG) issued a report titled, "EPA's Actions Concerning Asbestos-Contaminated Vermiculite in Libby, Montana." The IG report focused on EPA's role in addressing asbestos contamination in Libby, as well as EPA's role in regulating asbestos. The IG report concludes that EPA's activities in Libby should continue, and emphasizes the importance of addressing potential asbestos contamination concerns associated with mining and other operations unrelated to Libby. EPA is coordinating closely with the Mine Safety and Health Administration (MSHA) and ATSDR to identify additional asbestos-contaminated sites associated with Libby or otherwise identified that may require cleanup actions under Superfund.

Conclusion

EPA will continue to work closely with our federal and state partners to take the steps

necessary to protect the public health of the residents of Libby, Montana, as well as the health of communities outside of Montana that have been affected by Libby asbestos.

Thank you for the opportunity to appear before you today to discuss cleanup issues associated with asbestos in vermiculite ore from Libby, Montana.