

J. Winston Porter's Answers to Energy and Commerce Committee Questions, 2/22/18

1. We can use the model of the emergency removal program to improve the remedial program by increasing the allowable time and costs of the removal program activities so that more remedial-type cleanups can be dealt with by using the much less-expensive and more flexible removal program. For example, if a \$ 5 million remedial project could be handled under the removal concept it would not have to undergo the mult-year remedial investigation/feasibility study process.

2 and 2a. We can encourage PRPs to be more active and effective in the cleanup process if we allow these parties to propose more site remedies and then undertake such remedies themselves.

3. Setting formal deadlines for key project elements would greatly speed the pace of site cleanups by providing clear time expectations for such site cleanups. Currently, many site cleanups can take decades for completion while communities have little information on schedules for site cleanups.

4. No, the current decision-making structure of the clean-up program is not appropriate. In the early days, the Superfund EPA assistant administrator or the relevant EPA regional administrators made the key site decisions, such as site remedy selections. Over the years the decision-making structure has moved to much more junior managers, leading to slower development of key project decisions and thus much slower site cleanups. I recommend that the decision process return to the initial, more senior managers.

5. I believe the current National Contingency Plan is generally adequate and need not be changed unless key modifications are made to the Superfund statute.

J. Winston Porter