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December 8, 2014

Mr. Arthur A. Elkins, Jr.
Inspector General
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Mailcode: 2410T
Washington, DC 20460

Re: Comments on the EPA Inspector General Report, *EPA Needs to Improve Its Process for Accurately Designating Land as Clean and Protective Reuse*, Report No. 14-P-0364, September 29, 2014

Dear Mr. Elkins:

The Environmental Council of States (ECOS) and the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) have reviewed the September 29, 2014, report titled *EPA Needs to Improve Its Process for Accurately Designating Land as Clean and Protective for Reuse*¹ (the Report). The associations herein respond to what we believe are unnecessary recommendations to increase EPA oversight and review of State and Territorial (State) submitted data on sites designated ready for anticipated reuse (RAU) and/or protective for people (PFP). We are concerned that the Report's recommendations could invalidate State data submitted to EPA and weaken the co-regulator relationship between States and EPA on important waste and remediation programs (Brownfields, RCRA Corrective Action [CA], and Underground Storage Tanks [UST]).

ASTSWMO and ECOS agree with the EPA Agency Response to Draft Report and OIG Evaluation from OSWER Assistant Administrator Mathy Stanislaus, dated August 25, 2014.² States work collaboratively with EPA to achieve the mission of assessing, remediating, and restoring contaminated sites for reuse. The data submitted by States are accurate and reliable. States, as delegated administrators of these programs, have capabilities to address site-specific data problems and processes to involve EPA. States have a clear interest in ensuring the safe and protective cleanup of sites in their boundaries and in protecting their citizens. States utilize expert technical staff to review data sources. ECOS and ASTSWMO would be pleased to share

¹ <http://www.epa.gov/oig/reports/2014/20140929-14-P-0364.pdf>

² *Id.* at Appendix A.

with the Agency examples of the various steps States take to ensure site data integrity and quality assurance.

We appreciate the opportunity to comment on the Report. Please do not hesitate to contact ASTSWMO Executive Director Dania Rodriguez (202-640-1061) or ECOS Executive Director Alexandra Dunn (202-266-4929) should you have any questions or need additional information.

Respectfully,



Michael G. Forbeck (PA)
Environmental Program Manager,
Pennsylvania Department of
Environmental Protection,
ASTSWMO President



Robert J. Martineau, Jr.
Commissioner, Tennessee
Department of Environment
and Conservation,
ECOS President

cc: ASTSWMO Board of Directors
ECOS Officers & Executive Committee