

National Priority List/Superfund: U.S. Environmental Protection Agency Adds Five Sites



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

03/22/2024

The United States Environmental Protection Agency (“EPA”) has added five sites to the Comprehensive Environmental Response, Compensation, and Liability Act (“Superfund”) National Priority List (“NPL”).

The five sites include:

- Former Exide Technologies Laureldale; Laureldale, Pennsylvania
- Acme Steel Coke Plant; Chicago, Illinois
- Exide Baton Rouge; Baton Rouge, Louisiana
- Lot 46 Valley Gardens TCE; Des Moines, Iowa
- Lukachukai Mountains Mining District; Cove, Navajo Nation

EPA is also proposing to add the following sites to the NPL:

- Gelman Sciences Inc; Ann Arbor, Michigan
- Afterthought Mine; Bella Vista, California
- Upper Columbia River; Upper Columbia River, Washington

Sites listed on the NPL are eligible for government funding remedial action through the Superfund program. Placement on the site can have significant financial consequences for the owner or operator of a listed property or other responsible parties.

EPA makes NPL determinations pursuant to Superfund authorities. Sites on the NPL are high priorities for remedial action due to their “relative risk or danger to public health or welfare or the environment.” EPA determines which sites to add to the NPL based on the Hazardous Ranking System (“HRS”), which quantifies site-specific risk factors based on scientific methodology.

The HRS evaluates relative threats to public health and the environment posed by uncontrolled releases or threatened releases of such substances. It uses information obtained from the initial, limited investigations conducted at a site. EPA uses the HRS to assign each site a score ranking from 0-100 based on the likelihood that contaminants have been or will be released from the site, physical and toxicological characteristics of the contaminants present at the site, and the human population or sensitive environment or potentially exposed to release from the site.

The HRS measures the risk posed by migration of hazardous substances through four possible pathways:

- Air
- Soil
- Surface Water

- Groundwater
- Vapor Intrusion

As to each of these pathways, EPA calculates a score by measuring what it describes as factor categories:

- Waste characteristics
- Likelihood of release
- Targets (i.e., an individual, a human population, resources, and sensitive environments)

A copy of the news release referencing the sites can be downloaded [here](#).