

Superfund/CERCLA National Priority List: Blog Post Notes Addition of Two Sites (Mississippi/Texas) Based Solely on Vapor Intrusion Risk



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

09/27/2018

The United States Environmental Protection Agency (“EPA”) added five sites to the Comprehensive Environmental Response Compensation and Liability Act (“Superfund”) National Priority List (“NPL”). See 83 Fed. Reg. 46408.

The Robinson+Coal Manufacturing Law Blog (“Manufacturing Law Blog”) notes in a September 20th post that two of the sites were added solely based on the risk posed by vapor intrusion.

EPA had previously issued a final rule adding “subsurface intrusion” as a hazard that can qualify for the Superfund NPL.

Subsurface or vapor intrusion is sometimes described as the migration of hazardous substances, pollutants or contaminants from contaminated groundwater or soil into an overlying building. The Superfund Hazardous Ranking System (“HRS”) is the principal mechanism EPA uses to evaluate sites for placement on the NPL.

The HRS quantifies negative impacts to air, groundwater, surface water and soil. The agency can propose placement on the NPL sites that receive HRS scores above a specific threshold. Such sites are targeted for further investigation and possible remediation through the Superfund program.

The addition of vapor intrusion was an important step since only NPL sites are eligible to receive federal funding for long-term cleanup which can result in a permanent remedy. EPA had determined that an HRS assessment was not complete without an evaluation of threats posed by subsurface intrusion contamination. This action was deemed necessary to address an omission of a known pathway of human exposure contamination.

The two sites listed in the September 13th addition to the NPL are the Rockwell International Wheel & Trim site in Grenada, Mississippi and the Delfasco Forge site in Grand Prairie, Texas. The Manufacturing Law Blog post provides background on both sites noting:

The Rockwell site is a former chrome plating facility and is currently in use as a metal stamping facility. While EPA identified contamination in other environmental media, such as soil and groundwater, in its HRS analysis, it chose to only score the subsurface intrusion pathway. That score alone was sufficient to result in an NPL listing.

The Delfasco Forge site is a former munitions manufacturing and forge operation. According to EPA, vapor intrusion from this site has resulted in indoor air contamination in the surrounding residential neighborhood. A number of the homes have had systems installed to mitigate vapor intrusion, but EPA still listed this site on the NPL solely for the subsurface intrusion risk.

A link to the [Manufacturing Law Blog post](#) can be found here and a copy of the [Federal Register](#) notice can be downloaded here.