



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

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Mark Hague
Environmental Protection Agency
Acting Regional Administrator, Region 7
11201 Renner Blvd.
Lenexa, KS 66219

Dear Acting Regional Administrator Hague,

For the past three years, I have repeatedly and publicly pressed EPA to work both more quickly and transparently in addressing the problems at the West Lake and Bridgeton landfills. Meanwhile, public interest could not be more pronounced. Community groups have filled meeting rooms time and again, demanding answers and action. We owe it to the people we serve to be as transparent and communicative as possible in our decision-making. To that end, I call upon you to follow through on three commitments EPA has previously made to ensure that the public is better informed about the West Lake and Bridgeton sites.

First, I urge you to release the results of your comprehensive radiological survey of the West Lake / Bridgeton site as soon as possible. I asked EPA to conduct this survey nearly two-and-a-half years ago in a letter dated November 27, 2013. In that letter, I pointed to raw data summaries that suggested that radiological material may have spread more widely across the site than was previously understood, and emphasized the importance of having a clear picture of the contamination before any remedial plans were finalized. The public is asking for this information and deserves to have it—at last week's public meeting, one of the primary questions asked by community attendees was whether radiological material had been located in the North Quarry.

I understand the agency is completing its final report. I request that EPA set a date certain for the release of this report and ensure that the deadline is met.

Second, EPA should identify and make public its detailed plans for the proposed isolation barrier at the landfill. Last fall, you committed publicly to announce plans related to the barrier by the end of last year. But on December 31, 2015, rather than outline a plan for building a firebreak, EPA simply declared that it had decided one should be built—a decision many thought had been made a year and a half earlier in March 2014, when then-Regional-Administrator Karl Brooks was quoted as saying that construction on the barrier was expected to begin within 90 days.

It is now March 2016, and the public still has not seen a design for an isolation barrier, let alone the beginning stages of construction. Too much time has been lost already. If EPA intends to install a barrier separating the fire at the Bridgeton landfill from the radiological material at

West Lake, the public should be told where, when, and how construction will occur. Again, I ask that EPA set a date certain to release detailed plans for the isolation barrier and then meet that deadline.

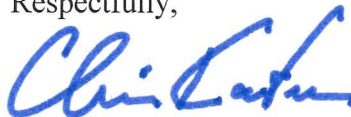
Third, EPA's failure to release information regarding either the radiological site survey or the isolation barrier design is made more distressing by EPA's apparent uncertainty regarding the potential consequences of the fire reaching the radiological waste. On January 8, 2015, Mr. Brooks committed EPA to conduct pyrolysis testing of radiologically-impacted samples taken from West Lake. We have been told that EPA's scientists don't really know what would happen if the fire reached the radiological waste, and the pyrolysis was intended to answer that question. Mr. Brooks indicated that he believed pyrolysis testing would take five to six months to complete.

But now, more than a year later, it appears that the testing has yet to occur. Furthermore, we have been verbally told the EPA no longer intends to conduct such testing. The samples have been collected. Whatever the reason for its previous equivocation, EPA should conduct its pyrolysis testing immediately and announce the results as soon as they are available.

The repeated missed deadlines and disappointed expectations have caused the public to doubt the capability of EPA to resolve the problems at the landfill and have led my office to view EPA as an unreliable partner in this endeavor. If EPA is to continue its work on this project, it must do better. It can begin by fulfilling its commitments as described above and by making sure the people who call Bridgeton home know what's happening in their backyards.

I look forward to your response.

Respectfully,



CHRIS KOSTER
Attorney General