

United States Senate

WASHINGTON, DC 20510-4804

March 29, 2019

COMMITTEES
APPROPRIATIONS
ARMED SERVICES
ENERGY AND NATURAL RESOURCES
VETERANS' AFFAIRS

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Administrator Wheeler:

Under your leadership, the Environmental Protection Agency ("EPA") has proposed the addition of the Shaffer Equipment/Arbuckle Creek Area in Minden, West Virginia ("Shaffer") to the National Priorities List (NPL) of Superfund sites. As you know, I strongly support this designation and sincerely appreciate your personal commitment to this effort. As you work to finalize the 2019 update to the NPL, I wanted to make sure you were aware of a recent resolution passed by the West Virginia State Legislature that demonstrates broad bipartisan support for providing relocation assistance and special medical treatment to the Minden residents.

Last November, I submitted my comments in support of the EPA's proposal to add the Shaffer site to the NPL. The damaged and unused equipment stored by the Shaffer Company at the Minden site contained harmful polychlorinated biphenyls (PCBs), a known carcinogen that was banned in 1979 from the United States. This contamination has had lasting effects on the Minden community that can only be properly addressed once the Shaffer site is added to the NPL. With this designation, the residents of Minden, West Virginia can finally begin to find some relief. Health reports clearly show that Minden residents have a significantly higher rate of cancer than that of other Fayette County residents. They need our help.

During the 2019 legislative session, the West Virginia State Legislature passed Senate Resolution 76 through both the House and Senate with broad bipartisan support (attached). This resolution urged the "EPA, West Virginia Department of Environmental Protection, West Virginia Bureau for Public Health, Agency for Toxic Substances and Disease Registry, and Centers for Disease Control to assist Minden residents with both relocation assistance and specialized medical treatment as a result of their long-term exposure to polychlorinated biphenyl, dioxins, and dibenzofurans" and explicitly mentioned the importance of an NPL designation to that effort.

The West Virginia State Legislature joins all levels of state government in supporting those adversely affected by the Shaffer Equipment/Arbuckle Creek Area in Minden, West Virginia. I appreciate your consideration of the Shaffer site on the 2019 update to the NPL, and I look forward to continuing our work together on this critical project.

Sincerely,



Joe Manchin III
United States Senator

SENATE RESOLUTION 76

(By Senators Baldwin, Jeffries, Stollings, Beach, and
Hamilton)

[Introduced March 9, 2019]

1 Urging the Environmental Protection Agency, West Virginia Department of Environmental
2 Protection, West Virginia Bureau for Public Health, Agency for Toxic Substances and
3 Disease Registry, and Centers for Disease Control to assist Minden, West Virginia,
4 residents with both relocation assistance and specialized medical treatment as a result of
5 their long-term exposure to polychlorinated biphenyl, dioxins, and dibenzofurans.

6 Whereas, Polychlorinated biphenyl (PCB) is a toxic substance known to cause harm to
7 human health and the health of the environment; and

8 Whereas, PCB's were burned in Minden, West Virginia; and

9 Whereas, When PCB's are burned, they can form dioxins and dibenzofurans which are
10 toxic chemicals; and

11 Whereas, It has been confirmed by Environmental Protection Agency (EPA) that PCB
12 contamination has spread throughout Minden, West Virginia; and

13 Whereas, The EPA has proposed Minden, West Virginia, for the National Priorities List of
14 Superfund sites, a designation reserved for the most toxic sites in the United States; and

15 Whereas, Polychlorinated biphenyl contamination has been discovered on residential
16 properties in Minden, West Virginia; and

17 Whereas, Frequent flooding spreads PCB contamination further throughout Minden, West
18 Virginia; and

19 Whereas, The true extent of PCB contamination has not yet been discovered; and

20 Whereas, The community members in Minden, West Virginia, believe that PCB

21 contamination is a contributing factor to alarming rates of cancer amongst other illnesses; and

22 Whereas, There are many Minden, West Virginia, residents that wish to be relocated so
23 that they can abstain from the future risks to their health; and

24 Whereas, Minden, West Virginia, residents do not have access to medical services that
25 are specific to PCB exposure, yet these resources exist in society; and

26 Whereas, The presence of PCB contamination is reducing property values in Minden,
27 West Virginia, which decreases the ability of residents to move according to their will; and

28 Whereas, The EPA, WVDEP, WVBPH, ATSDR, and CDC are not readily willing to
29 relocate Minden, West Virginia, residents who wish to be relocated; and

30 Whereas, Minden, West Virginia, residents have lived amongst PCB contamination for
31 many decades; and

32 Whereas, Chronic and multigenerational exposure to PCB's across many decades has
33 not been adequately studied from a public health perspective by CDC, ATSDR, and WVBPH; and

34 Whereas, Exposure to PCB has been correlated with brain cancer, breast cancer,
35 gastrointestinal cancers, liver cancer, lung cancer, malignant melanoma, non-Hodgkin's
36 lymphoma, pancreatic cancer, prostate cancer, thyroid cancer, nonmelanoma skin cancer,
37 recurrent infections, skin infections, respiratory infections, harm to the immune system, lowered
38 IQ, abnormal reflexes, greater response to stress, less habituation to repeated stimuli, modified
39 Brazelton Neonatal Behavioral Assessment Scale results, memory reduction, anxiety,
40 depression, thyroid disease, reduced testosterone in males, longer menstrual cycles, reduced
41 sperm mobility, endometriosis, earlier menarche in young women, elevated plasma triglyceride
42 levels, hypertension, ischemic heart disease, myocardial infarction, diastolic blood pressure,
43 systolic blood pressure, diabetes, liver disease, asthma, arthritis, low birthweight, shortened
44 gestation periods, chloracne, porphyria cutanea tarda, soft tissue sarcoma, eczema, benign fatty
45 tumors, epidermoid cysts, rash not otherwise specified, dyschromia, skin sensitivity, and NMSCs,
46 rare diseases, and possibly more illnesses yet to be discovered; and

47 Whereas, It is inhumane to expect people to continue to live in an environment that can
48 harm them; and

49 Whereas, The concerns that Minden, West Virginia, residents have about their health
50 while living in Minden, West Virginia, have merit; and

51 Whereas, The EPA has failed to remediate Minden, West Virginia, after three separate
52 clean-up attempts; and

53 Whereas, Future efforts of EPA and WVDEP will be focusing on cleanup of Minden, West
54 Virginia; and

55 Whereas, The long term nature of remediation will not adequately meet all of the needs of
56 Minden, West Virginia, residents; and

57 Whereas, Relocation and long term specialized health resources have been deemed an
58 essential need by Minden-led community groups since the 1980's; therefore, be it

59 *Resolved by Legislature of West Virginia:*

60 That the Legislature hereby urges the Environmental Protection Agency, West Virginia
61 Department of Environmental Protection, West Virginia Bureau for Public Health, Agency for Toxic
62 Substances and Disease Registry, and Centers for Disease Control to assist Minden, West
63 Virginia, residents with both relocation assistance and specialized medical treatment as a result
64 of their long-term exposure to polychlorinated biphenyl, dioxins, and dibenzofurans; and, be it

65 *Further Resolved,* That Minden, West Virginia, residents who need life-long access to
66 specialized health care resources that are familiar with the health consequences of PCB, dioxin,
67 and dibenzofuran exposure be provided the assistance to obtain such medical care; and, be it

68 *Further Resolved,* That the Clerk of the Senate is hereby directed to forward a copy of this
69 resolution to the Administrator of the Environmental Protection Agency, Cabinet Secretary of the
70 West Virginia Department of Environmental Protection, Commissioner for the West Virginia
71 Bureau for Public Health, Administrator of the Agency for Toxic Substances and Disease Registry,
72 and Director of the Centers for Disease Control.