



At a Glance

Why We Did This Review

We performed fieldwork to determine why the EPA did not meet planned corrective-action milestones for completing a comprehensive toxicity assessment of asbestos necessary to determine the cleanup level for the Libby, Montana, Superfund site. We also determined whether EPA informed appropriate officials about the delays in a timely manner. In 1999, EPA began investigating local concerns about asbestos contamination in Libby. EPA designated the Libby site a national priority in the Superfund program in 2002; and in December 2006, the EPA OIG recommended that the EPA perform a comprehensive toxicity assessment of amphibole asbestos to determine the safe level for human exposure. EPA submitted its Libby Action Plan in 2007 to address the OIG recommendations. In June 2009, the EPA Administrator declared a public-health emergency in Libby due to the number of deaths and illnesses reported in the town.

This report addresses the following EPA Goal or Cross-Cutting Strategy:

- *Cleaning up communities and advancing sustainable development.*

For further information, contact our Office of Congressional and Public Affairs at (202) 566-2391.

The full report is at:
www.epa.gov/oig/reports/2013/20130417-13-P-0221.pdf

Better Planning, Execution and Communication Could Have Reduced the Delays in Completing a Toxicity Assessment of the Libby, Montana, Superfund Site

What We Found

U.S. Environmental Protection Agency (EPA) action officials did not complete planned corrective actions under its Libby Action Plan in a timely manner. This occurred because the scope of the work was larger than originally thought; there was no established charter; and there were contracting delays, competing priorities, unanticipated work, and poor communication with stakeholders. Consequently, the Agency has twice revised its estimates for completing actions in response to our December 2006 report.

The toxicity assessment is one of two components (an exposure assessment being the other) that makes up the health risk assessment for determining cleanup levels in Libby. In December 2011, EPA informed us that the health risk assessment would be substantially delayed. As a result, the Agency's final determinations that the completed and ongoing cleanup actions are sufficient to address the health risks from site contamination have been delayed from 2 to 6 years, depending on the studies being performed. This is a significant concern, considering that the EPA Administrator declared a public-health emergency at the Libby site in 2009 and the Agency has spent over \$400 million on cleanup. Communications about delays in completing Libby Action Plan items, and the reasons for those delays, were not always timely or clearly communicated to stakeholders; and EPA officials failed to update the Agency's follow-up system or notify the Office of Inspector General (OIG) about known delays until planned corrective actions under the Libby Action Plan could not be met.

Recommendations

We recommend that EPA: (1) require action officials to disclose risks to completing corrective-action plans, and update and distribute original and revised plans to stakeholders; (2) establish a charter to define project roles and responsibilities for completing remaining corrective actions under the Libby Action Plan, and determine whether the Science Advisory Board (SAB) or another organization will review the completed risk assessment; (3) direct the SAB to determine whether EPA has followed guidance sufficiently to support the findings in the toxicity assessment, and whether other possible limitations exist when applying cancer and noncancer values to determine acceptable levels of exposure to asbestos in Libby; (4) ensure that future contracts issued through interagency agreements are within the scope of those agreements; and (5) develop a priority list for pending and ongoing research work.

The Agency agreed with part of one recommendation and disagreed with other recommendations. The recommendations are unresolved, pending estimated completion dates or an action plan for the agreed-to recommendation, and dispute-resolution actions for recommendations with no agreement.