

For immediate release
September 30, 2009

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Statement of the Great Lakes Commission: **U.S. EPA Inspector General Report on the Great Lakes Legacy Act**

Ann Arbor, Mich. – The U.S. EPA Inspector General has released a report (No. 09-P-0231) evaluating the agency's management of contaminated sediment cleanups in the Great Lakes Areas of Concern (AOC). The report focuses on the effectiveness of the Great Lakes Legacy Act, a federal program established in 2002 to fund the cleanup of contaminated sediment sites in the 31 AOCs in the U.S. portion of the Great Lakes. The report states that the U.S. EPA lacks a coordinated approach for managing sediment cleanups and recommends that the agency establish a management plan for remediating contaminated sediments; develop an action plan for each site; and publish comprehensive information on each site annually.

The Great Lakes Commission has long been concerned about the slow pace of progress in restoring the AOCs, but believes that changes to the Great Lakes Legacy Act, coupled with the proposed Great Lakes Restoration Initiative, will address many of the issues raised in the report. The Commission believes that improved coordination and data collection will strengthen the program, particularly as additional resources become available to implement sediment cleanups.

When Congress reauthorized the Legacy Act in 2008 it authorized U.S. EPA to assess contaminated sediment sites at full federal expense, rather than having to wait for a nonfederal sponsor to apply. It also required a more formal process of consulting with other federal programs to ensure the Legacy Act is the most appropriate mechanism for addressing each site. These improvements will enable U.S. EPA to be more strategic in assessing sediment sites and targeting funds at sites where full cleanups are needed most. The Commission supported these and other improvements to the Legacy Act, which U.S. EPA is now implementing.

Most important, however, President Obama's proposed \$475 million Great Lakes Restoration Initiative (GLRI) will accelerate the pace of cleaning up the Great Lakes. Nearly one-third of the funding is proposed for removing contaminated sediments and restoring the AOCs. The Commission is urging Congress to provide the President's full request of \$475 million when it approves U.S. EPA's FY 2010 budget. Together with recent improvements to the Legacy Act, the GLRI will address the Inspector General's concerns. For example, U.S.

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Great Lakes Commission

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EPA is developing a detailed action plan for the GLRI that defines clear restoration goals and establishes criteria to track progress in achieving them. The agency is working closely with the Great Lakes states, which will be vital partners in targeting GLRI funds to the most important restoration actions.

While improved coordination and better information are always warranted, the key obstacle facing the Great Lakes has been the lack of adequate funding to implement a comprehensive restoration program. Indeed, it is only since the passage of – *and funding for* – the Legacy Act that we have seen real progress in cleaning up contaminated sediments in the AOCs. The Legacy Act is widely considered a highly successful program that has generated important, on-the-ground cleanups in the AOCs while leveraging millions of dollars from non-federal partners. The program has facilitated productive federal-state-industry partnerships that are yielding real results while minimizing wasteful litigation and bureaucratic delays.

Where additional improvements are needed for U.S. EPA's sediment cleanup program, they should be incorporated into cleanups as they are developed and implemented. However, this should occur concurrent with – and not delay the implementation of – the GLRI. Working in partnership with U.S. EPA, the Commission and its member states will work to accelerate the pace of sediment cleanups in the Great Lakes and improve the effectiveness of the Great Lakes Legacy Act and other federal and state programs that address toxic sediments.

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The Great Lakes Commission, chaired by Illinois Gov. Patrick Quinn, is an interstate compact agency established under state and U.S. federal law and dedicated to promoting a strong economy, healthy environment and high quality of life for the Great Lakes-St. Lawrence region and its residents. The Commission consists of governors' appointees, state legislators and agency officials from its eight member states. Associate membership for Ontario and Québec was established through the signing of a "Declaration of Partnership." The Commission maintains a formal Observer program involving U.S. and Canadian federal agencies, tribal authorities, binational agencies and other regional interests. The Commission offices are located in Ann Arbor, Michigan.