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April 30, 2002

The Honorable Christie Whitman  
 Administrator  
 U.S. Environmental Protection Agency  
 1200 Pennsylvania Avenue, NW  
 Washington, DC 20460

Dear Administrator Whitman:

I am writing to request your personal response to several puzzling questions left unanswered after the April 19 VA-HUD Appropriations Subcommittee hearing on the issue of PCB contamination in Anniston, Alabama.

I was very troubled to learn that several high ranking EPA officials have been recused from the Anniston issue because of previous ties to industry that they are supposed to regulate. Under EPA's management structure, Regional Administrators report directly to your office. But in the case of Anniston, both the Regional Administrator and your Deputy Administrator are recused. It is extremely troubling that a leadership void, created by potential conflicts of interest, left an issue of such extreme importance and urgency to be decided by a Deputy Regional Administrator.

The people of Anniston have a right to know, a right to be heard, and a right to be protected. As the Chair of EPA's funding Subcommittee, the hearing left me without confidence that the Environmental Protection Agency fulfilled its core mission to protect the people of Anniston. I therefore request your personal response to the following questions:

- Why did the Administration appoint a Regional Administrator who had to be recused from one of the Region's most important environmental issues?
- With two of the highest ranking EPA officials in the direct decision-making chain-of-command recused, who was the architect of the consent decree?
- With a leadership void on the Anniston issue, who gave EPA's final approval for the Anniston consent decree?
- Is it EPA's usual and customary process for a Deputy Regional Administrator to be the architect of and give final approval to a consent decree?

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I hope that your responses will provide confidence to the people of Anniston that EPA sought to protect their interests, instead of being mired in conflict of interest.

I look forward to receiving your prompt response.

Sincerely,



Barbara A. Mikulski  
Chairman  
Subcommittee on VA, HUD,  
and Independent Agencies