



**To:** House Committee on Natural Resources Republican Members  
**From:** Water, Oceans and Wildlife Subcommittee Republican Staff; Kiel Weaver ([Kiel.Weaver@mail.house.gov](mailto:Kiel.Weaver@mail.house.gov)), Annick Miller ([Annick.Miller@mail.house.gov](mailto:Annick.Miller@mail.house.gov)), and Rob MacGregor ([Robert.MacGregor@mail.house.gov](mailto:Robert.MacGregor@mail.house.gov))  
**Date:** June 7, 2021  
**Subject:** Oversight Hearing on “DDT Dumping Off the Southern California Coast: Ecological Impacts, Scientific Needs, and Next Steps”

---

The Subcommittee on Water, Oceans, and Wildlife will hold an oversight hearing titled “DDT Dumping Off the Southern California Coast: Ecological Impacts, Scientific Needs, and Next Steps” on **Tuesday, June 8, 2021, at 3:00 p.m. EDT** online via Cisco WebEx.

Member offices are requested to notify Annick Miller ([Annick.Miller@mail.house.gov](mailto:Annick.Miller@mail.house.gov)) no later than Monday, June 7, at 12:00 p.m. EDT, if their Member intends to participate in person in the hearing room or remotely from his/her laptop from another location. Submissions for the hearing record must be submitted through the Committee’s electronic repository at [HNRCDocs@mail.house.gov](mailto:HNRCDocs@mail.house.gov). Please contact David DeMarco ([David.DeMarco@mail.house.gov](mailto:David.DeMarco@mail.house.gov)) or Everett Winnick ([EverettWinnick@mail.house.gov](mailto:EverettWinnick@mail.house.gov)) should any technical difficulties arise.

## **I. KEY MESSAGES**

- Disposal sites off the coast of Santa Catalina Island in southern California contain toxic chemicals. While some cleanup is underway, the federal government and a partner recently discovered over 25,000 barrels of an unknown substance in one site.
- Federal agencies, not represented at the hearing, are working with state and local partners to assess next steps on this and other sites.
- This hearing will address potential risks and remedies while maintaining recreational-based tourism in the area.

## **II. WITNESSES `**

- **Mr. Michael Parmer**, Assistant City Manager, City of Avalon, California  
*[Republican witness]*

- **Mr. Jared Blumenfeld**, Secretary for Environmental Protection, California Environmental Protection Agency
- **Dr. Eunha Hoh**, Professor, Environmental Health, San Diego State University
- **Dr. Libini Aluwihare**, Professor, Geosciences Research Division, Scripps Oceanographic Institution, University of California San Diego

### III. BACKGROUND

Dichlorodiphenyltrichloroethane (DDT) is an insecticide that the United States banned in 1972,<sup>1</sup> but some countries still use the chemical for the control of mosquitoes that spread malaria.<sup>2</sup> The Montrose Chemical Corporation's (Montrose) plant in Torrance, California was one of the largest DDT manufacturing facilities in the world from 1947 until 1982,<sup>3</sup> when the plant was closed and its facilities dismantled after exporting DDT over its last ten years.<sup>4</sup>

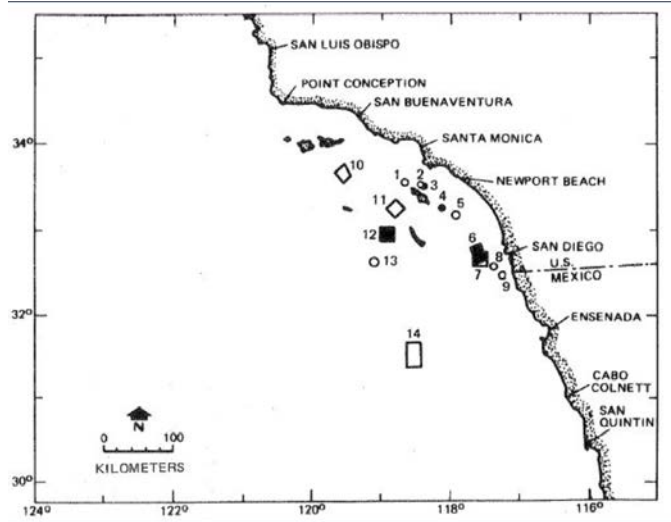


Figure 1: Map of all 14 dump sites  
Source: EPA & NOAA

Until 1971, the Montrose plant had discharge permits authorized by the City of Los Angeles for the use of a local wastewater treatment plant.<sup>5</sup> In addition to discharges through the treatment plant, DDT was also released through direct ocean dumping into the San Pedro Basin off of Santa Catalina Island<sup>6</sup> along the Palos Verdes Shelf. There are fourteen documented deep-water disposal sites off the southern California coast that received chemical, refinery, garbage, explosives, and other waste from a variety of sources between the 1930s and the 1960s.<sup>7</sup> Figure 1 shows all the known dump sites off the southern California coast; not all the dump sites are connected to Montrose.

<sup>1</sup> <https://archive.epa.gov/epa/aboutepa/ddt-ban-takes-effect.html>, *DDT Ban Takes Effect*, 12.31.1972.

<sup>2</sup> <https://www.epa.gov/ingredients-used-pesticide-products/ddt-brief-history-and-status>

<sup>3</sup> <https://www.montroserestoration.noaa.gov/about-us/>; see <https://law.justia.com/cases/california/supreme-court/4th/6/287.html>

<sup>4</sup> [https://www.montroserestoration.noaa.gov/wp-content/uploads/2011/08/msrp\\_rp\\_section2.pdf](https://www.montroserestoration.noaa.gov/wp-content/uploads/2011/08/msrp_rp_section2.pdf)

<sup>5</sup> Id.

<sup>6</sup> Id.

<sup>7</sup> Briefing to Natural Resources Republican Committee staff by NOAA & EPA on dump sites, June 1, 2021.

## *Montrose Lawsuit*

In 1990, the United States and the State of California sued Montrose and others<sup>8</sup> under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §9601 et seq., CERCLA ). CERCLA gives the United States Environmental Protection Agency (EPA) the authority to identify sites where hazardous materials threaten the environment and or public health as a result of leakage, spillage, or general mismanagement, and identify the responsible party.<sup>9</sup>

The lawsuit had two claims,<sup>10</sup> with the first focused on the declaratory relief and the recovery of response costs and damages for injury to natural resources (fish, birds, and marine mammals) in the areas offshore of Los Angeles and Long Beach, including the Palos Verdes Shelf, the Channel Islands, and the surrounding environment, as a result of the release of hazardous substances. The second claim in the lawsuit was for the recovery of costs incurred by the United States in response to the release of hazardous substances from the Montrose facility. The allegations included that from the 1940s to the 1970s, millions of pounds of DDT were discharged into the ocean off the southern California coast.<sup>11</sup>

The lawsuit was settled in 2001, with a total of \$140.2 million provided to the EPA and the Montrose Settlements Restoration Program (MSRP).<sup>12</sup> Of this amount, the EPA and the California Department of Toxic Substances Control (DTSC) received \$66.25 million and the MSRP Trustees received \$63.95 million.<sup>13</sup> The Montrose facility is an EPA superfund site. The superfund site also includes a portion of the continental shelf off the coast of Los Angeles known as the Palos Verdes Shelf. Cleanup, operation and maintenance activities, and monitoring are ongoing.<sup>14</sup> Since 2003, the EPA has implemented a full-scale public outreach and education program, through the Fish Contamination Education Collaborative (FCEC) in partnership with other federal, state and local agencies and community-based organizations.<sup>15</sup> For example, the FCEC does local outreach to anglers on what fish are safe to eat in the area.<sup>16</sup>

The MSRP Trustee Council includes representatives from the National Oceanic and Atmospheric Administration (NOAA), the U.S. Fish and Wildlife Service, the National Park Service, the California Department of Fish and Wildlife, the California State Parks, and the California State Land Commission.<sup>17</sup> In 2005, the MSRP Trustees released a Phase

---

<sup>8</sup> The defendants were Montrose Chemical Corp. of California; Atkemix Thirty-Seven, Inc.; Stauffer Management Company; ICI American Holdings, Inc.; Chris-Craft Industries, Inc.; Westinghouse Electric Corp.; Potlatch Corp.; and Simpson Paper Company.

<sup>9</sup> <https://www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act>

<sup>10</sup> <https://www.justice.gov/enrd/consent-decree/file/1303816/download>

<sup>11</sup> <https://www.montroserestoration.noaa.gov/about-us/>

<sup>12</sup> <https://www.justice.gov/enrd/us-v-montrose-chem-corp>

<sup>13</sup> <https://www.montroserestoration.noaa.gov/case-documents/settlement/>

<sup>14</sup> <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0900993>

<sup>15</sup> <http://pvsfish.org/about>

<sup>16</sup> <http://www.pvsfishstaging.org/outreach/outreach-anglers>

<sup>17</sup> <https://www.montroserestoration.noaa.gov/about-us/>

1 Restoration Plan explaining which resources were harmed and how they are being restored.<sup>18</sup> The Phase 2 Restoration Plan was released in 2012.<sup>19</sup> While there is mention of the occurrence of dumping DDT-contaminated waste into the ocean near Santa Catalina Island in this settlement, the current superfund site does not include “Dump Site #2”.<sup>20</sup>

### *Dump Site # 2*

On February 12, 2021, NOAA notified Natural Resources Committee staff that it would conduct a survey at Dump Site #2 from March 11 to March 24, 2021, with the Scripps Institution of Oceanography at the University of California San Diego (Scripps).<sup>21</sup> The notice informed staff that the survey aimed to “verify how many barrels are in the survey area, and we will look at what condition they are in.”<sup>22</sup> A press release issued by Scripps stated that the survey found over “25,000 targets with high confidence to be classified as a barrel.”<sup>23</sup> Figure 2 shows the survey location, located 3000 feet below the ocean surface, which is the same area as shown as “Dump Site # 2” in Figure 1. Career staff from the EPA recently informed Natural Resources Committee Republican staff that the barrels may not contain DDT from Montrose as many of the Montrose discharges were through direct ocean dumping without barrels.<sup>24</sup> Further investigations, one of the matters to be discussed at this hearing, continue to determine the contents of the barrels.<sup>25</sup>



Figure 2: Survey Map of Dump Site # 2  
Source: Scripps Institution of Oceanography at UC San Diego

The EPA is working with NOAA and other relevant federal and state agencies on coordinating next steps to ensure adequate action is taken while minimizing any potential dangers to human health and the environment. The EPA is in the process of gathering all available historical documents relevant to these sites, including reviewing state and local agency permits, records, and operational documents.<sup>26</sup> Future work could include another survey of the area, a test to determine the contaminants, and a study to determine the extent of contamination.

The Natural Resources Committee majority staff has shared that this is a fact-finding hearing mainly on “Dump Site # 2.” It is unclear if there is an active role for many of the agencies within the Committee’s jurisdiction in addressing the contaminated site. The EPA

<sup>18</sup> <https://www.montroserestoration.noaa.gov/multimedia/publications/>

<sup>19</sup> <https://www.montroserestoration.noaa.gov/wp-content/uploads/2012/08/Final-MSRP-RP-EA-IS-6-26-12.pdf>

<sup>20</sup> [https://www.montroserestoration.noaa.gov/wp-content/uploads/2011/08/msrp\\_rp\\_section2.pdf](https://www.montroserestoration.noaa.gov/wp-content/uploads/2011/08/msrp_rp_section2.pdf)

<sup>21</sup> Email from Office of Congressional Affairs, NOAA, to H. Comm on Nat. Res. Staff (Feb. 12, 2021 11:21 EST) (on file with author).

<sup>22</sup> Id.

<sup>23</sup> <https://scripps.ucsd.edu/news/scripps-oceanography-completes-seafloor-survey-using-robotics-finds-thousands-possible-targets>

<sup>24</sup> Briefing to Natural Resources Republican Committee staff by NOAA & EPA on dump sites, June 1, 2021.

<sup>25</sup> Id.

<sup>26</sup> Id.

is the lead agency; however, many are looking at NOAA to provide financial assistance to support another survey of the area. Witnesses will testify about how federal and state authorities can provide supporting research and financial assistance regarding the dump sites while maintaining tourism-related activities on and near Santa Catalina Island.