

The NPL Question on Sivuqaq

Thinking like a Superfund: What is the NPL?

And why was an NPL designation requested by ACAT and tribal council members on Sivuqaq?

NPL is the National Priorities List, which lists and designates national sites with known or threatened releases of hazardous substances, pollutants, or contaminants. The NPL is a recent development in the U.S. environmental protection toolkit. In 1983, the EPA created the [first NPL](#) using the Hazard Ranking System (HRS) following Congress's passing of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) in 1980. HRS uses numeric evaluations to assess whether a site can potentially threaten human health or the environment. Only sites on the NPL qualify for long-term remediation financed by the [Superfund](#). Without the NPL designation, Sivuqaq's contaminated sites remain in flux, bounded by bureaucratic, financial, and toxic shortcomings. In the meantime, ACAT continues to fight against toxics injustices on Sivuqaq and beyond.

Sivaquq and Superfund

Alaska is located in EPA Region 10, and its relationship to FUDS and Tribal lands is complex. The first NPL list prepared by the EPA in 1983 included zero sites in Alaska. Yet, the evidence of contamination in the state is long and deep. The U.S. military has occupied the pristine tundra since April 7th, 1951, when Cold War concerns prompted the military's move to the Bering Sea, given its strategic location. Sivuqaq and the United States military signed an agreement on April 7th, 1951, to allow government occupation of parts of Sivuqaq. That agreement is cited in documents, though the signed copy has yet to be found.

The military's use over more than fifty years left contaminants known and unknown in the air, soil, and water on the island. In 1992, an Inventory Report for Gambell Formerly Used Defense Site noted that 15 of the 18 military sites contained significant amounts of material eligible for either investigation or cleanup under DERP guidelines. [[ACAT FOIA Repository](#)] In a 2001 letter, in EPA correspondence with Fritz Waghyyi (President of Savoonga) with a summary of an earlier meeting, the EPA listed the RAB's concerns and noted that the EPA was in the process of determining whether or not to list the Northeast Cape on the National Priorities List (NPL). [[ACAT FOIA Repository 61](#)] In 2002, despite years of ACAT advocating for the cleanup of Gambell, the EPA decided to forgo designating the area an NPL location. [[ACAT FOIA Repository 68](#)] [[ACAT FOIA Repository 69](#)]

ACAT continues to advocate against this decision and fight for Sivuqaq's restoration, pre-military occupation. As noted in the comments of the decisions, "The most significant issue that should be further addressed in the final ROD is the lack of community acceptance of the No Further Action determinations for the majority of sites." [[ACAT FOIA Repository 24](#)]

Documents Listed in Narrative (in order of mention):

[ACAT FOIA Repository 1](#)

[ACAT FOIA Repository 61](#)

[ACAT FOIA Repository 68](#)

[ACAT FOIA Repository 69](#)

[ACAT FOIA Repository 24](#)