



Overview of the Multistate Environmental Response Trust Kerr-McGee Chemical Corporation Superfund Site, Navassa, North Carolina September 2017

The U.S. Environmental Protection Agency (EPA), the N.C. Department of Environmental Quality (N.C. DEQ) and the Multistate Environmental Response Trust (the Multistate Trust) prepared this fact sheet to explain the roles and responsibilities of the organizations involved in remediation, redevelopment planning, and natural-resource restoration at the Kerr-McGee Chemical Corporation (KMCC) Superfund Site in Navassa, N.C. (the Site).

Overview of the Multistate Trust

In 2005, Kerr-McGee created Tronox by transferring the Site in Navassa and hundreds of other contaminated sites into this corporate “shell” without the funds needed for cleanup of the sites. Kerr-McGee then sold its most valuable oil and gas assets to Anadarko Petroleum. In 2009, unable to pay for cleanup of the Kerr-McGee sites, Tronox filed for bankruptcy. In 2011, the bankruptcy court approved a settlement agreement with the U.S. government, 24 state governments and Tronox, which established several trusts, including the Multistate Environmental Response Trust (Multistate Trust).

The Multistate Trust is an environmental response trust responsible for owning and managing more than 400 former Kerr-McGee contaminated sites in 31 states, remediating the sites using funds earmarked for each site, and facilitating safe redevelopment and long-term stewardship of the sites. Since its creation in 2011, the Multistate Trust has been performing cleanup activities approved by EPA and N.C. DEQ, using the cleanup funds allocated for the KMCC Navassa Superfund Site. It will eventually sell or transfer the property for future reuse. The Multistate Trust has a fiduciary duty to its beneficiaries—EPA and N.C. DEQ. The Multistate Trust is a private entity with the public purpose of protecting human health and the environment. Greenfield Environmental Multistate Trust LLC is the court-appointed Trustee of the Multistate Trust.



KMCC Navassa Superfund Site

From 1936 until 1974, Kerr-McGee and other companies operated a creosote-based wood treatment facility at the 251-acre Site situated on the bank of the Brunswick River. In 2010, EPA added the Site to the National Priorities List of federal Superfund sites because of contamination in groundwater, soils and sediments resulting from the wood-treating activities.



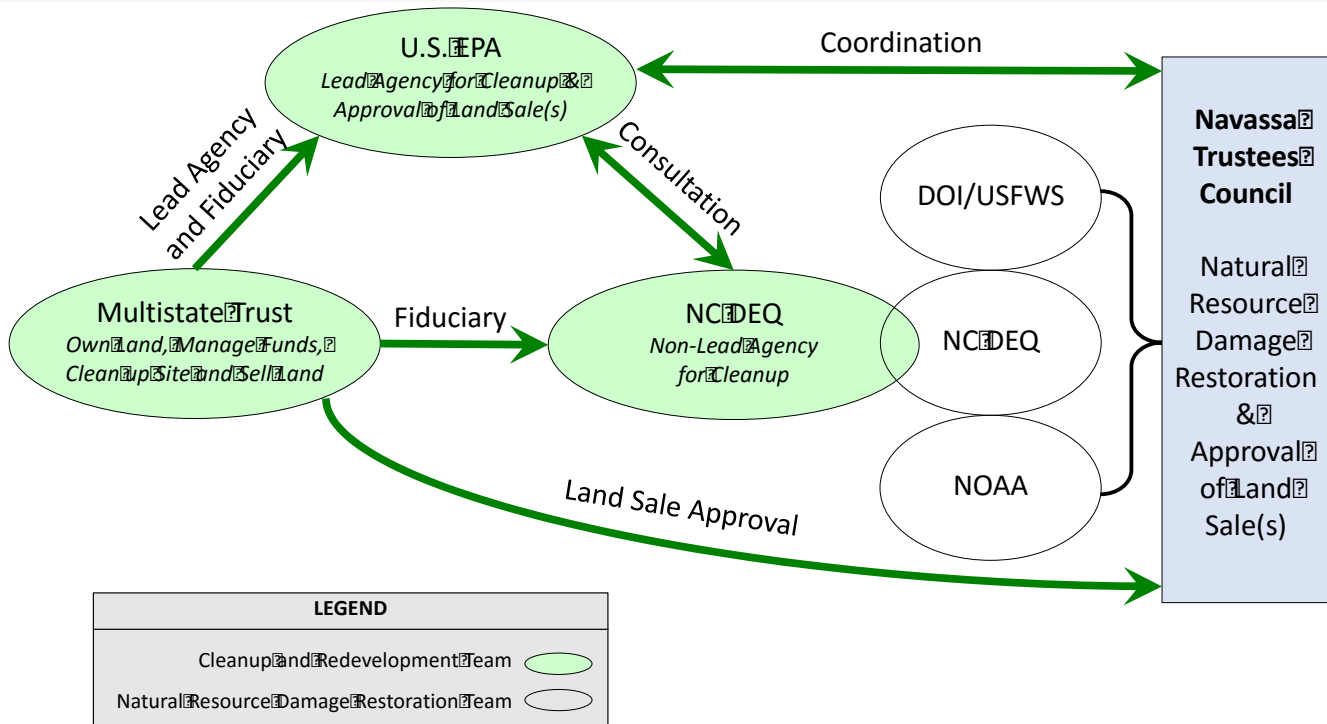
Multistate Trust Cleanup Funds

- ✓ The Multistate Trust received \$92.5 million to remediate the Site. These cleanup funds are managed and invested by the Multistate Trust. EPA and N.C. DEQ do not hold or control the cleanup funds.
- ✓ Cleanup funds can be spent only on environmental actions (such as site investigations and cleanup).
- ✓ The Multistate Trust is **prohibited** from using cleanup funds to: engage in for-profit activities; restore damage to natural resources (see Navassa Trustees Council, p. 2); compensate people for health effects caused by past exposure to Site contamination (see Tronox Tort Claims Trust, p. 2); and implement (construct) Site redevelopment, although funds can be used to integrate future reuse into cleanup plans and engage in multi-stakeholder discussion about future Site reuse.
- ✓ The companies responsible for Site contamination—Tronox, Kerr-McGee and Anadarko Petroleum—were the source of Multistate Trust cleanup funds, not the U.S. government or U.S. tax dollars.

Overview of the Multistate Environmental Response Trust Kerr-McGee Chemical Corporation Superfund Site, Navassa, North Carolina

Government Agencies Involved in Multistate Trust Activities at Site and in Tronox Bankruptcy Settlement

- ✓ **EPA—Lead Agency:** approves Multistate Trust cleanup plans and budgets, in consultation with N.C. DEQ
- ✓ **N.C. DEQ—Non-Lead Agency:** consults with EPA on Multistate Trust cleanup plans and budgets
- ✓ **Navassa Trustees Council (NTC)**—Represented by **U.S. Fish & Wildlife Service (USFWS)**, **National Oceanic and Atmospheric Administration (NOAA)** and **N.C. DEQ:** responsible for restoration of damaged natural resources
- ✓ **EPA and N.C. DEQ—Beneficiaries** of the Multistate Trust for the Site
- ✓ **EPA and NTC** approve any sale or transfer of Multistate Trust property



Navassa Trustees Council (NTC) for KMCC Navassa Superfund Site

The NTC is made up of natural resource trustees from USFWS, NOAA and N.C. DEQ. The NTC is responsible for restoration of natural resources damaged by Site contamination. The NTC received \$22 million from the Tronox bankruptcy settlement to be used for projects aimed at restoring natural resources and habitat for fish, birds and other wildlife in the Navassa region that were injured by creosote-based contaminants from the Site. Please contact Howard Schnabolk from NOAA at 843-740-1328 or howard.schnabolk@noaa.gov for more information or visit the NOAA website at <https://darrp.noaa.gov/hazardous-waste/kerr-mcgee-chemical-corp>.

Tronox Tort Claims Trust

As part of the bankruptcy settlement, the U.S. Bankruptcy Court established the Tronox Tort Claims Trust to pay claims to people with adverse health effects from exposure to contaminants from the Kerr-McGee sites throughout the United States. For more information, please contact the Tronox Tort Claims Trust helpline at helpline@tronoxorttrust.com or at 800-753-2480, or visit <http://www.tronoxorttrust.com>.

Note: EPA, N.C. DEQ, and the Multistate Trust have no involvement in the Tronox Tort Claims Trust.

For more information about cleanup and redevelopment of the KMCC Navassa Superfund Site, please contact:

EPA: Erik Spalvins (404-909-0345, spalvins.erik@epa.gov), L'Tonya Spencer (404-562-8463, spencer.latonya@epa.gov)
N.C. DEQ: Dave Mattison (919-707-8336, david.mattison@ncdenr.gov)
Multistate Trust: Richard Elliott (617-953-1154, re@g-etg.com) and Christine Amrhine (540-846-3163, ca@g-etg.com)