

Congress of the United States

Washington, DC 20515

August 31, 2015

Mr. Dennis Greaney
President
Environmental Restoration, LLC
1666 Fabick Drive
St. Louis, Missouri 63026

Dear Mr. Greaney:

An Environmental Protection Agency (EPA) spokesman identified your company, Environmental Restoration, LLC, as the contractor “whose work caused a mine spill in Colorado that released an estimated three million gallons of toxic sludge into a major river system.”¹ The toxic discharge affected the environment in at least three states and disrupted the livelihoods of nearly every person and business in the surrounding areas. The full damages and long-term consequences of the spill are still unknown. The House Committee on Oversight and Government Reform (OGR) and the House Committee on Natural Resources (HCNR) are conducting oversight into this toxic spill.

Environmental Restoration, LLC was reportedly working at the mine pursuant to “an agreement [with EPA] to provide emergency protection from pollutants from the Gold King Mine.”² On August 12, 2015, an EPA spokesman stated, “Environmental Restoration LLC was working at the direction [of] EPA in consultation with the Colorado Division of Reclamation, Mining and Safety.”³ According to media reports and the company’s website, Environmental Restoration, LLC has contracted extensively with EPA for emergency cleanup projects, including high-profile projects such as “the aftermath of Hurricane Katrina, the Sept. 11, 2001, terrorist attack ground zero cleanup, and the Deepwater Horizon Gulf of Mexico spill remediation.”⁴ Environmental Restoration, LLC received almost \$400 million worth of federal contracts—mostly from EPA—for cleanup projects over the last eight years.⁵

You and your company are well-positioned to help the Committee understand how and why the August 2015 Gold King Mine accident occurred. For that purpose, please provide the following documents and information:

¹ Amy Harder, Alexandra Berzon, and Jennifer Forsyth, *EPA Contractor Involved in Colorado Spill Identified as Environmental Restoration*, WALL ST. J., Aug. 13, 2015.

² *Id.*

³ *Id.*

⁴ *Id.*; See also, Environmental Restoration, LLC website, “Projects,” available at <http://www.erllc.com/index.php> (last visited Aug. 24, 2015).

⁵ *Id.* (citing USAspending.gov)

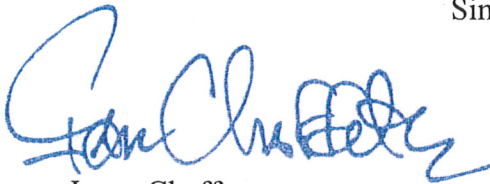
1. All documents referring or relating to the Gold King Mine, the Red and Bonita Mine and the Sunnyside Mine including, but not limited to, documents referring or relating to the toxic spill and the subsequent cleanup and investigative/review efforts.
2. All communications referring or relating to the Gold King Mine project, including, but not limited to:
 - a. Communications between any Environmental Restoration, LLC employee and any EPA employee, subcontractor employee, federal/state/local government employee, expert, or representative of a tribal group.
 - b. Communications referring or relating to the August 2015 toxic spill and the subsequent cleanup and investigative/review efforts.
3. All documents and communications referring or relating to violations of any state, local, or federal laws, regulations, or codes, by Environmental Restoration, LLC since January 1, 2000.
4. All certifications, licenses, or permits to perform the work at Gold King Mine.
5. All documents and information referring or relating to training, disaster prevention, pollution prevention plans, disaster planning, disaster cleanup and remediation, safety precautions, or emergency procedures at the Gold King Mine.
6. All documents and communications referring or relating to preparation, planning, and inspection of the Gold King Mine by Environmental Restoration, LLC or any other entity, including, but not limited to, documents referring or relating to installation of a pipe or other mechanism to remove toxic chemicals from the mine.
7. All documents, photographs, video, or other media depicting the Gold King Mine, the August 5, 2015 breach, the toxic spill, and/or the areas affected by the spill.
8. All documents and communications referring or relating to damage caused by the toxic spill.

Please provide the requested information as soon as possible, but no later than 5:00 p.m. on September 14, 2015. An attachment to this letter provides additional information about responding to the Committees' request. When producing documents to the Committees, please deliver production sets to the OGR Majority staff in room 2157 of the Rayburn House Office Building and the OGR Minority staff in room 2471 of the Rayburn House Office Building. Please deliver production sets for the HCNR Majority staff to 1327 in the Longworth House Office Building and for the Minority staff to room 1329 in the Longworth House Office Building. The Committees prefer, if possible, to receive all documents in electronic format.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. The House Committee on Natural Resources has broad jurisdiction with regard to the Department of the Interior and regarding relations of the United States with Native Americans and Native American tribes, public lands generally, fisheries and wildlife, mining interests generally and irrigation and reclamation as well.

Please contact William McGrath or Ryan Hambleton of the OGR Committee staff at (202) 225-5074 or Rob Gordon or Jessica Conrad of the HCNR staff at (202) 225-2761 with any questions about this request. Thank you for your prompt attention to this important matter.

Sincerely,



Jason Chaffetz
Chairman
Committee on Oversight and
Government Reform



Rob Bishop
Chairman
Committee on
Natural Resources



Cynthia M. Lummis
Chairman
Subcommittee on the Interior
Committee on Oversight and
Government Reform

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Member
Committee on Oversight and Government Reform

The Honorable Brenda Lawrence, Ranking Member
Subcommittee on the Interior
Committee on Oversight and Government Reform

The Honorable Raul Grijalva, Ranking Member
Committee on Natural Resources