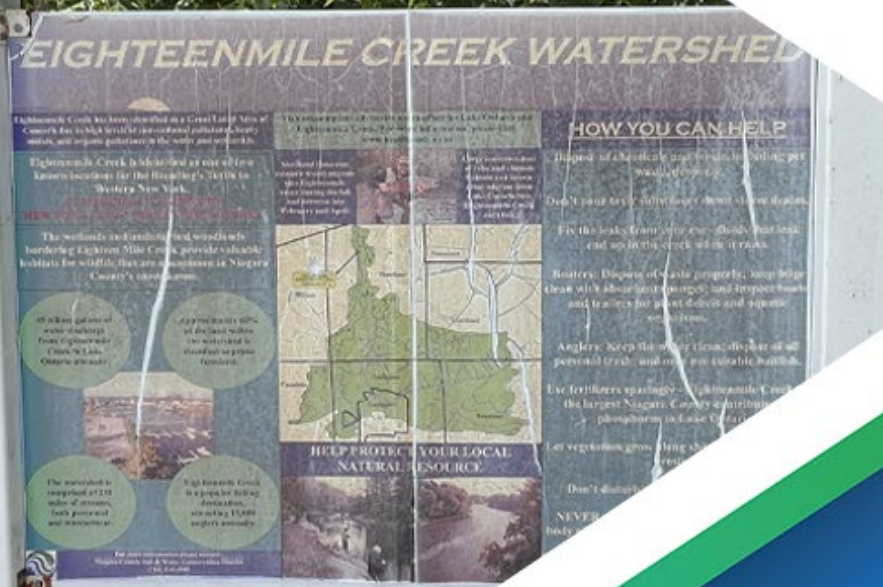


Fish Consumption Advisory Signage at the Eighteenmile Creek Superfund Site in Niagara County, New York

March 18, 2026 | Report No. 26-E-0018



Abbreviations

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EPA	U.S. Environmental Protection Agency
IIJA	Infrastructure Investment and Jobs Act
OIG	Office of Inspector General
PCB	Polychlorinated Biphenyl

Key Definitions

Institutional Controls	Legal and administrative controls that help minimize the potential for human exposure to contamination and protect the integrity of the response action by limiting land or resource use and guiding human behavior.
National Priorities List	The list of Superfund sites that are prioritized for cleanup based on the relative threat that the on-site contamination poses to human health and the environment.
Polychlorinated Biphenyls	Group of man-made organic chemicals consisting of carbon, hydrogen, and chlorine atoms.
Superfund Site	Sites or properties where hazardous waste or other contamination is located and that the EPA has identified as needing cleanup efforts.

Cover Image

An informational sign located at the entrance to Fisherman’s Park in Niagara County, New York. The sign is faded and has visible cracks, making it difficult to read. The top of the sign says, “Eighteenmile Creek Watershed.” In the middle of the sign, there is a map that details the Eighteenmile Creek location. On either side of the sign, there is information about the watershed. On the right side of the sign, there is a section titled “how you can help.” Below the map, there are two photos of Eighteenmile Creek. The photo on the left shows anglers fishing in the creek, and the photo on the right shows an aerial view of the creek. (EPA OIG image)

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OFFICE OF INSPECTOR GENERAL
U.S. ENVIRONMENTAL PROTECTION AGENCY

March 18, 2026

MEMORANDUM

SUBJECT: Fish Consumption Advisory Signage at the Eighteenmile Creek Superfund Site in
Niagara County, New York
Report No. 26-E-0018

FROM: Nicole N. Murley, Deputy Inspector General performing the duties
of the Inspector General *Nicole N. Murley*

TO: Michael Martucci, Regional Administrator
Region 2

Steven Cook, Principal Deputy Assistant Administrator
Office of Land and Emergency Management

This is our report describing issues that the U.S. Environmental Protection Agency Office of Inspector General has identified regarding fish consumption advisory signage at the Eighteenmile Creek Superfund site in Niagara County, New York. The project number for this inspection was OSRE-FY26-0032. Final determinations on matters in this report will be made by EPA managers in accordance with established audit resolution procedures.

EPA Region 2 has the primary responsibility for the issues discussed in this report.

A response to this report is not required because the report does not contain recommendations. If your office submits a response, however, it will be posted on the OIG's website, along with our memorandum commenting on the response. The response should be provided as an Adobe PDF file that complies with the requirements of section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that your office does not want released to the public; if the response contains such data, your office should identify the data for redaction or removal along with corresponding justification.

We will post this report to our website at www.epa.gov/oig.

cc: Elizabeth Shaw, Deputy Assistant Administrator for Management, Office of Land and
Emergency Management



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Background, Scope, & Methodology

During a July 2025 inspection of a nearby Superfund site, the U.S. Environmental Protection Agency Office of Inspector General visited the Eighteenmile Creek Superfund site to assess the quality of its institutional controls and risk communication.

Enacted in 1980, the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA, commonly referred to as Superfund, authorizes the EPA to clean up contaminated sites. The Infrastructure Investment and Jobs Act, or IIJA, was enacted in 2021 and provided over \$60 billion in supplemental funds to the EPA, including \$3.5 billion for the remediation of Superfund sites. The EPA provided nearly \$56 million in IIJA funds to the Eighteenmile Creek Superfund site in Niagara County, New York. The site includes Eighteenmile Creek and Fisherman's Park.

The EPA placed the site on the Superfund program's National Priorities List and began investigating the site in 2012. The Agency discovered that the site's sediments, soil, and surface water were contaminated with polychlorinated biphenyls, or PCBs. The EPA relies on institutional controls, including New York State's fish consumption advisory, as part of the remedy to limit the public's exposure to these harmful contaminants.

We conducted this inspection from July 2025 to March 2026 in accordance with the *Quality Standards for Inspection and Evaluation* published in December 2020 by the Council of the Inspectors General on Integrity and Efficiency. Those standards require that we perform the inspection to obtain sufficient and appropriate evidence to support our findings.

Findings



We are alerting the EPA about inadequate risk communication at the Eighteenmile Creek Superfund site. Pursuant to the site's records of decision, EPA Region 2, which is responsible for protecting human health at the site, relies upon New York State's fish consumption advisory as an institutional control to minimize human exposure to PCBs. PCBs can increase the risk of cancer and other negative health effects. We observed that this advisory is communicated to visitors at the park via a single risk communication sign and associated online information. However, as shown on the cover of this report, the sign is faded and does not list or depict either the fish species included in the advisory or the consumption recommendations. The EPA's *Guidance for Developing, Implementing and Improving Advisory Programs* indicates that these advisories should be clear, prescriptive, and explanatory and should include meaningful visual images, particularly when describing portion sizes for consumption. CERCLA's implementing regulations state that the EPA's selected institutional controls should be adequate and reliable to manage exposure to residual contamination.



According to the New York State Department of Environmental Conservation, thousands of anglers use the park. Additionally, a 2008 county conservation district [survey](#) revealed that 40 percent of anglers at the park intended to consume the fish they caught. Further, following our two site visits, interviews with site staff, and analysis of historical photos, we are concerned that the public may be consuming more fish than the state recommends in its [advisory](#). Without adequate signage, the EPA cannot rely on the institutional control intended to limit the public's exposure to PCBs, and the public may incorrectly believe that the fish in Eighteenmile Creek are safe to consume in excess of the state's advisory.



The Agency can consider appropriate action to improve the effectiveness of site institutional controls. Such action could include encouraging the state to update and expand existing signage to ensure that the public is adequately informed of the site's hazards. In addition, the EPA can use other methods to meaningfully inform the public about the fish consumption advisory, such as the [site's web page](#) and community updates. The EPA can also include coordination with the state on effective risk communication in future records of decision.



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U.S. Environmental Protection Agency

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