

Statement of Chairman Frank Pallone, Jr. (as prepared for delivery)
Hearing on “EPA Enforcement: Taking the Environmental Cop off the Beat”
E&C Subcommittee on Environment and Climate Change

February 26, 2019

Today, the Committee begins critical oversight of the Trump EPA’s enforcement program, something that the previous Republican Majority ignored.

Congress can pass all of the legislation it wants to protect against air pollution, contaminated drinking water, and hazardous chemical risks, but ultimately, the EPA must implement and enforce those laws.

It is, therefore, impossible to assess EPA’s effectiveness without looking at whether the Agency is enforcing the federal environmental statutes that are already on the books. And there is no doubt that the Trump EPA’s enforcement record is abysmal – the worst in decades.

Over the past few weeks, news reports suggest that EPA is simply not maintaining the type of vigorous enforcement that is needed to protect our environment and communities from the worst polluters.

For example, a report in the Christian Science Monitor found that the number of inspections conducted by the agency in 2018 were the lowest since records began in 1994. It also reported that the number of civil cases initiated by the EPA was the lowest since 1982. And the number of judicial referral cases for 2018 was 110 – that’s less than half the average annual number of 239. There is no way to sugar coat these numbers.

It appears that the Trump EPA is relying on industry to voluntarily come forward and disclose when they are not in compliance. Nobody here can really believe that the worst offenders of environmental laws would voluntarily come forward to disclose their violations. EPA must have a robust enforcement presence. The Agency needs to actively conduct investigations to determine whether violations are occurring. It needs to inspect facilities, start cases and, where appropriate, refer cases to the Department of Justice. And the EPA needs to issue penalties that not only make polluters pay when they break the law, but also force polluters to come into compliance so that they are no longer in violation.

It takes a lot of people to do all of this difficult and resource-intensive work, but unfortunately the number of staff in the enforcement office has continued to drop over the years.

This is not surprising considering President Trump promised to reduce the Agency on the campaign trail to, “little tidbits,” and then attempted to fulfill that threat by proposing a nearly 25 percent budget cut last year.

Although Congress did not let President Trump’s draconian proposal take effect, industry heard loud and clear that this President was not prioritizing EPA’s work. The Trump EPA was taking the cop off the beat.

This extreme budget proposal was essentially a message from the Trump Administration to EPA employees that they should scale back their work.

But without these employees, the EPA simply cannot do its job to make sure our communities are protected from illegal pollution.

In closing, I'd like to send a message to the dedicated career staff at EPA who are watching today and say a very public thank you. Thank you for continuing to protect human health and the environment through the hard work you do each and every day. It is not an easy task with an Administration that simply does not share your mission.

Let there be no doubt that, this Committee will continue to hold the Trump Administration accountable.

Thank you, I yield back.

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