

**Opening Statement of the Honorable John Shimkus
Subcommittee on Environment and the Economy
Hearing on “Oversight of Federal Facility Cleanup under CERCLA”
September 11, 2015**

(As Prepared for Delivery)

I welcome today's witnesses and thank you all for appearing to discuss protection from, and clean-up of, hazardous wastes at Federal government facilities. Today we'll hear perspectives of the Department of Defense, the Department of Energy, the Environmental Protection Agency, and the Government Accountability Office.

Thousands of ordinary citizens and private sector companies face the daily challenge of controlling costs and making a profit without leaving behind a trail of hazardous waste. The same citizens and companies must meet both Federal and state prevention and clean-up standards.

In meeting all these challenges they face distinct disadvantages when compared with their Federal agency counterparts:

- they can't rely on the U.S. taxpayer to cover either their compliance or their clean-up costs.
- they can't always choose their own remediation options. and
- they can't fall back on the defense of sovereign immunity when they are taken to court.

While those private sector companies focus on making a profit while complying with environmental protection standards, the Defense and Energy Departments focus on national security. And national security can be a messy business involving everything from motor oil to munitions waste. But even national security is no excuse for leaving a mess in your neighbor's back yard.

As we drill down into the specifics on an agency-by-agency basis, we'll learn that some of our Federal partners are more successful than others at juggling these dual responsibilities, to their core mission and to protecting land and water. The agencies' challenges are not uniform and neither are their budgets. We have four objectives today:

- to get a detailed update on where agencies stand meeting their good- neighbor obligations;
- to find out what the challenges are and how those challenges vary from agency to agency;
- to understand what the resource management relationship is between each of these agencies and the EPA; and
- to get GAO's perspective on who's doing a good job, who's not, and what they can do to improve.

Next week a second panel for this hearing will provide the State perspective. Under our system of government States have primary responsibility for protecting their own natural resources, including land and water, from environmental degradation. But a State's challenge is made difficult if not impossible to meet if the entity responsible for the environmental mess is a Federal agency with all the power that status implies.

After the episode last month in Colorado with the release of contaminated water into the Animas River, I wouldn't be surprised if some in our audience thought first of EPA when they heard the phrase "Federal agency responsible for an environmental mess." But the Colorado mine release is not the focus of this hearing.

Since we first got the news of the blow-out, our Committee has been looking into the Colorado mine incident on a separate track from this hearing. At the beginning we had lots of questions and almost no answers. Gradually, we've been piecing together the facts, as best we can. We are not finished yet. I trust our friend, Mr. Stanislaus, and everyone in the Administration, will cooperate with our Committee as we pursue that inquiry. ----- Mr. Stanislaus?

Thank you. Today, I hope that we can focus on the Federal facilities issue and whether important agencies such as DOD and DOE are good neighbors and good stewards of the land and water that they touch wherever they have a presence.

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