



COMMITTEE ON  
**ENERGY & COMMERCE**  
**DEMOCRATS**  
RANKING MEMBER FRANK PALLONE, JR.

**FOR IMMEDIATE RELEASE**

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## **Pallone Highlights Need to Reinstate "Polluter Pays" Taxes**

*Fees key to ensuring polluters, not taxpayers, pay the costs of cleaning up Superfund sites*

*Energy and Commerce Ranking Member Frank Pallone, Jr. (D-NJ) delivered the following remarks at the Subcommittee on Environment and the Economy hearing on Oversight of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Implementation:*

I thank the Chairman for calling this hearing to bring much needed attention to the Superfund program. As many of you know, the Superfund program is critical to cleaning up the most toxic sites across our country. These sites are shockingly common –in my home state of New Jersey, roughly 50 percent of the population lives within three miles of a Superfund site.

I want to welcome, not only our Missouri colleagues, but also Bob Spiegel of the Edison Wetlands Coalition, who has been a tremendous ally for many years in the fight to ensure fast and thorough cleanup of contaminated sites in my home state in New Jersey.

The contaminants at Superfund sites have been shown to cause cancer, birth defects, infertility, and other serious health problems.

According to EPA, cleanups through the National Priority List and Superfund Alternatives program have brought human exposure to contaminants under control at over 1,400 sites around the nation. But the impact of Superfund goes well beyond those funded cleanups thanks to a provision in the law that allows EPA to recover treble damages – or three times the cost of cleanups – when the Agency carries out a cleanup on its own. This provision has encouraged countless other cleanups.

But there are still so many sites nationwide and in New Jersey – which has more sites than in any other state -- that will need funding for clean up in the future.

Unfortunately, funding for these cleanups has dropped dramatically since the Superfund tax expired in 1995, meaning fewer cleanups are started and even fewer are finished. Too many communities are waiting too long for cleanups. The threat that EPA will come in and

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clean up a site, and the threat of treble damages, is now all but extinguished by the lack of funds. And the cleanups that are being done, it seems, are not as robust as they once were - in many cases, remedies are selected based on available funds rather than risk.

I have personally visited many of these sites, and have seen firsthand the impact a contaminated site can have on a community. Nothing but a full and timely cleanup can restore these communities.

We must provide the program the resources it desperately needs. For years, I have introduced the Superfund Polluter Pays Act, which would reauthorize the original Superfund fees and make polluters, not taxpayers, pay the costs of cleaning up Superfund sites.

Congress needs to reinstate the "polluter pays" taxes so those industries most responsible for polluting our land and water are held responsible for cleaning up our toxic legacy, a legacy that severely affects New Jersey and many other states around the nation. This is only fair. Restoring the "polluter pays" principle to this program would reduce pressures on the federal budget and lead to faster cleanup of these toxic and dangerous sites. I understand that reinstating this tax is not within this Committee's jurisdiction, and some of my colleagues will look for solutions we can offer as a Committee to strengthen Superfund.

One thing we can do within our Committee's jurisdiction is encourage EPA's efforts to establish financial responsibility requirements for the most polluting industries. Those requirements can stop the proliferation of new orphan Superfund sites which hurt public health and cost the taxpayers millions.

But the main problem facing Superfund is the expiration of the polluter pays tax, and the most important thing we in Congress can do is reinstate it.

Cleaning up toxic Superfund sites not only reduces health risks. It also helps create jobs during the cleanup and allows for redevelopment of the land once the cleanup is completed. We should all support cleanup efforts of these contaminated sites, and should ensure that these efforts are appropriately funded.

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