

**Opening Statement of the Honorable John Shimkus
Subcommittee on Environment and the Economy
Hearing on “Oversight of CERCLA Implementation”
July 13, 2016**

(As Prepared for Delivery)

I would like to welcome everyone this morning as we take another look today at CERCLA. Today our focus will be on how the Superfund program is being implemented – hopefully our witnesses can share with us what works but more likely we will need to take a look at what doesn't work. We are also looking for suggestions as to how we can make the program work better.

CERCLA or Superfund governs the cleanup of hazardous waste sites, as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. The program is implemented by EPA in cooperation with the States and tribal governments and in implementing CERCLA, EPA also delegates certain authority to the Regional Administrators. One of the key issues we intend to look at today with Mr. Stanislaus is whether the level of delegation is appropriate and whether there is adequate oversight of the Regional Administrators by EPA headquarters.

It has been over 35 years since CERCLA was enacted. A lot has changed since then. When CERCLA was enacted, very few states had their own cleanup programs. What we are looking at today is after all that time – how is it going, are sites getting cleaned up in a timely manner and if not, why not? We need to assess whether States should have a more significant role in CERCLA cleanups and are there cleanups that are best handled entirely by the States? There is a lot of process involved with CERCLA cleanups. We need to take a serious look at whether that process is working and whether it encourages or impedes timely and efficient cleanups.

I would like to welcome my colleagues Ann Wagner and Lacy Clay. We also welcome back to the Committee Mathy Stanislaus the Assistant Administrator from the recently re-named Office of Land and Emergency Management and we welcome our second panel who will walk us through how public and private stakeholders also participate in the implementation of the Superfund program. We welcome Ms. Brittian from the State of Oklahoma who is here on behalf of a good friend of the Subcommittee, ASTSWMO. Ms. Brittian will hopefully talk to us about how far states have come with developing cleanup programs and whether the current role for states in CERCLA cleanups is appropriate. We also welcome Ms. Horinko, who is the former head of EPA's Office of Solid Waste and Emergency Response. Ms. Horinko has been in the trenches at EPA with respect to CERCLA cleanups and can share with us her opinion of what works and what doesn't as well as suggestions for moving forward. We also have with us today, Mr. Nadeau, an attorney with over 30 years of experience representing potentially responsible parties or PRPs at Superfund sites around the country. And last, but not least, we will hear from Mr. Spiegel, the Executive Director of the Edison Wetlands Association which has done a lot of work restoring hazardous waste sites in New Jersey. So, welcome everyone.

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