



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, MARCH 3, 2009

No. 37

## House of Representatives

The House met at 10:30 a.m.

### MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

### SUPERFUND REAUTHORIZATION

The SPEAKER. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, the budget that President Obama submitted to Congress last week calls for the reinstatement of the "polluter pays" principle for the Superfund program.

As someone who has been dealing with a Superfund site in my district for over 20 years, I am pleased that the President has added his important voice to this cause. I have introduced H.R. 564, the Superfund Reinvestment Act, which would implement his recommendations. I urge my colleagues to cosponsor it.

The Superfund program was created in 1980 to provide money to clean up the Nation's worst hazard sites where the party responsible for polluting was out of business or could not be identified. Superfund sites contain toxic contaminants that have been detected in drinking water wells, creeks and rivers, backyards and playgrounds all across America. Indeed, about 1 in 4 Americans lives within 4 miles of a Superfund site.

Communities impacted by these sites can face restrictions on water use and recreational activities as well as economic losses as property values decline due to contaminated land. In the worst cases, residents of the community can face serious health problems such as cardiac impact, infertility, low birth

rates, birth defects, leukemia, and other cancers and respiratory difficulties.

Approximately 30 percent of these sites are considered "orphan" sites where a responsible party cannot be found, cannot pay or refuses to pay. In these cases, the Superfund trust fund is tapped to help pay for the cleanup. That Superfund program has contributed to the cleanup of over 1,000 sites across America.

Before the tax expired in 1995, the money for the Superfund trust fund came mainly from taxes on the polluters, themselves—the oil and chemical companies—that profited from the sale or use of the chemicals being cleaned up. Because Congress in the past has not reauthorized the taxes, the rate of cleanup for Superfund sites has declined, and the burden for funding the cleanup of these toxic waste sites now falls on the shoulders of all tax-paying Americans, not those who were responsible for it.

By 2003, the balance in the Superfund trust fund had dwindled to zero, delaying 29 sites around the country. Today, the Superfund relies heavily on scarce general fund revenues, increasing the burden on American taxpayers at a time when cleanup costs are increasing. The lack of funding also reduces the EPA's leverage in forcing companies to clean up after their own sites. The delay has resulted in greater health risks to people living near Superfund sites. It has resulted in increased damage to local communities as sites remain a drain on the local tax base, and in the long run, it results in higher ultimate cleanup costs.

One of the sites that has experienced delay due to the EPA's lack of funding is the Portland Harbor Superfund site in my district, officially a Superfund site in December of 2000 but a source of concern for years. The sources of contamination include former and current industrial operations and, indeed, the

Federal Government, itself, because of World War II shipbuilding.

While a number of potentially responsible parties, such as the Port of Portland and the Northwest Natural Gas Company, have stepped forward to begin the cleanup process, it is expected that much of the pollution at the Portland Harbor site will be unaccounted for. Normally, this orphan share would be paid by the Superfund. Since there is no money in the fund, the EPA may decide to distribute the liability to those already identified responsible parties, significantly increasing their cleanup costs and serving as a disincentive for people to come forward and help voluntarily. This may be one of the largest and costliest in the program's history, but it is but one example around the country.

Many of the responsible parties are eager to clean up actions on the site, but the EPA has not even issued a record of decision to clean it up. The EPA tells us this record of decision is about 3 to 5 years away, which basically has been the same story for the past 9 years, in part, because we don't have the resources. In the meantime, contamination is negatively impacting navigation and redevelopment activities around the region, not to mention threatening the health and safety of those who live around the river.

Portland Harbor is one of many examples of sites around the country that will benefit from reinstating the Superfund taxes. Until it expired in 1995, the Superfund tax generated about \$1.7 billion a year to clean up these hazardous areas.

I hope that my colleagues will work with me to ensure that the polluters, not the general fund taxpayers, clean up our country's most hazardous waste sites by cosponsoring the Superfund Reinvestment Act, H.R. 564.

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