



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

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Pallone Opening Remarks at Superfund Hearing

Washington, DC – *Energy and Commerce Ranking Member Frank Pallone, Jr. (D-NJ) delivered the following opening remarks today at a Subcommittee on Environment hearing on “Modernizing the Superfund Program.”*

I thank the Chairman for calling this hearing on the Superfund program, a critical public health program that has made an enormous difference in the state of New Jersey and nationwide.

It is essential that this Committee conduct oversight of the controversial and, frankly, confounding implementation decisions being made by President Trump, Administrator Pruitt, and the rest of the political leadership at EPA. In the past month, this Administration has published, not one, but two new lists of Superfund sites, with no public process and no clear explanation of how sites were chosen or will be impacted.

Neither of the lists focuses on the riskiest sites, calling into question this Administration’s commitment to cleaning up the most toxic sites poisoning communities across this country.

Unfortunately, we do not have anyone from EPA’s political leadership here today to answer our questions.

Mr. Chairman, this Administration has gone to extraordinary lengths to avoid transparency with the public and with Congress. I have repeatedly raised those concerns with you and Chairman Walden, and I must raise them again today.

EPA did not send a single witness to testify before this Committee until November. Last month, Administrator Pruitt appeared for the first time --a full ten months after taking office. At that hearing, he pledged to provide witnesses for future hearings, and to respond to our oversight requests.

Well, over a month has passed since he appeared, and we have received no additional responses to our oversight requests. And, despite the promise of Albert Kelly testifying

today, we are now told he had to back out because of “unavoidable conflicts.” Strangely, these conflicts appeared very recently, despite EPA being apprised of this hearing some two months ago.

Mr. Chairman, I believe Mr. Kelly’s “unavoidable conflicts” have nothing to do with scheduling and everything to do with his troubling financial ties.

Mr. Kelly owes this Committee and the public a thorough explanation of his past misdeeds, an explanation that EPA’s career staff cannot provide. Public office is a public trust, and that is especially true for the Superfund program. Billions of dollars move through the Superfund Trust Fund and the Superfund Special Accounts – money that can mean the difference between a toxic environment and a safe one for communities across the country.

Mr. Kelly, who Administrator Pruitt placed in charge of these funds, was, just this past year, banned for life from working in any federally insured bank or financial institution. He was banned for life because of his unfitness to serve and his willful or continuing disregard for the safety and soundness of the bank for which he worked. Is that really the type of person we should trust to run the Superfund program?

In September, I wrote EPA to ask for an explanation. Of course, like so many other inquiries made to this EPA, there has been no response.

When we first learned that Mr. Kelly would skip this hearing, we urged you to postpone -- for good cause. Mr. Kelly appears to be running the Superfund program single-handedly and generating no records. He is the only one who can answer questions about the decisions he has made. This hearing should have been postponed until he was available. Clearly that did not happen. Now, we should schedule another hearing and the Committee should use all of its available tools to ensure Mr. Kelly appears.

We must hold this Administration accountable, but that is simply not happening under this Republican Majority

Cleaning up toxic Superfund sites protects human health and the environment. We must move past the press releases to protect the Superfund program and all the essential laws EPA implements.

In this new year, I would hope we can move forward together in our oversight efforts. This program is too important. The EPA is too important. We cannot accept this Administration’s lack of transparency, and we cannot accept the appointment of people who do not deserve the public’s trust. I yield back.

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