FRED UPTON, MICHIGAN
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6115

Majority (202) 225–2927
Minority (202) 225–3641

Opening Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
Markup of H.R. 2250, the EPA Regulatory Relief Act of 2011; H.R. 2681, the Cement Sector Regulatory Relief Act of 2011; and H.R. 2937, the Pipeline Infrastructure and Community Protection Act of 2011
Committee on Energy and Commerce
September 20, 2011

Today, the Committee begins consideration of three pieces of legislation. The pipeline safety bill is a good piece of bipartisan legislation.

During the last twelve months, a series of tragic failures has reinforced the need for stronger pipeline safety laws. Pipeline failures have occurred all around the country… from California and Montana to Michigan and Pennsylvania. We've seen natural gas pipeline explosions and ruptured oil pipelines spilling oil into rivers.

This bill and the bipartisan manager's amendment that will be offered today go a long way toward updating and strengthening our pipeline safety laws in the aftermath of these tragedies. I will support this bill.

I wish I could also be positive about the two other pieces of legislation we'll consider today. But they are a frontal assault on public health and the environment.

The House has voted 125 times this Congress to block action to address climate change, to halt efforts to reduce air and water pollution, to undermine protections for public lands and coastal areas, and to weaken the protection of the environment in other ways.

The two EPA bills we will consider today are part of this concerted attack on our environment. They would gut Clean Air Act provisions that protect American families from toxic air pollution.

If the bills we consider today are enacted, there will be more cases of cancer, birth defects, and brain damage. The ability of our children to think and learn will be impaired because of their exposure to mercury and other dangerous air pollutants.

In 1990, Congress adopted a bipartisan approach to protect the public from toxics. The law directed EPA to set standards requiring the use of maximum achievable control technology (MACT) to control emissions of mercury, arsenic, dioxin, PCBs, and other toxic emissions.

This approach has worked well. Industrial emissions of carcinogens and other highly toxic chemicals have been reduced by 1.7 million tons each year.

EPA has reduced pollution from dozens of industrial sectors – from boat manufacturing to fabric printing, from lead smelters to pesticide manufacturing. More than 100 categories of sources have been required to cut their pollution and this has delivered major public health benefits to the nation.

But a few large source categories still have not been required to control toxic air pollution due to delays and litigation.

The bills we consider today would block and indefinitely delay EPA's efforts to reduce toxic emissions from two of these major sources: industrial boilers and cement plants.

They would also rewrite the MACT standards to weaken the level of protection and set up new hurdles for EPA rules.

We're told that these bills simply give EPA the time they requested to get the rules right. That's nonsense. EPA vigorously opposes these bills.

We're also told that we need to pass these bills because the threat of EPA regulation is dragging down our economy. That's legislative opportunism at its worst.

It was the lack of regulation of Wall Street banks that caused this recession – not environmental regulations that protect children from toxic mercury emissions.

Before subcommittee consideration, I asked whether the Republican majority would be interested in working on a compromise bill that would give EPA some additional time and clarify when a facility will be considered a boiler and when it will be considered an incinerator. The response was, in effect, we have the votes and don't need to negotiate.

You may have the votes in the House, but that doesn't justify a legislative approach that ignores the facts and jeopardizes public health.

As these bills move through the Committee and the House, I hope we will find the courage to say no to the special interests, to think carefully about the facts and the science, and to do what is right for American families. Until then, I urge my colleagues to vote "no" on these extreme bills.