

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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Opening Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
Markup on H.R. 2250, the EPA Regulatory Relief Act of 2011,
and H.R. 2681, the Cement Sector Regulatory Relief Act of 2011
Subcommittee on Energy and Power
September 13, 2011

As Steven Pearlstein recently wrote, the bumper sticker for this year's Republican presidential candidates is simple:

“Repeal the 20th century. Vote GOP.”

Social Security, an institution that provides a critical safety net to seniors, is being falsely labeled a “ponzi scheme.” Medicaid and Medicare, which provide essential healthcare to American families, are under attack.

The candidates take turns threatening to shutter the Environmental Protection Agency – the one cop on the beat that can stand up to the big polluters.

And this approach doesn't stop with the presidential candidates. This House of Representatives is the most anti-environmental House in history.

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.

Yesterday, I posted a searchable database of these anti-environment House votes on the Committee website. I hope the public will visit democrats.energycommerce.house.gov to examine the radical policies being advanced by the Republicans in the House.

Today, the assault continues. This Committee considers legislation to gut Clean Air Act provisions that protect American families from toxic air pollution.

If the bills we consider today are enacted, we know there will be more cases of cancer, birth defects, and brain damage. We will harm the way our children think and learn.

We have long known that toxic air pollutants such as mercury, arsenic, dioxin, lead, and PCBs, can cause these serious health effects.

In 1990, Congress adopted a bipartisan approach to protect the public from toxics. The new program listed 187 toxic air pollutants and directed EPA to set standards requiring the use of maximum achievable control technology for categories of sources.

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.

But a few large source categories still have not been required to control toxic air pollution due to delays and litigation. These include utilities, industrial boilers, and cement plants. EPA's efforts to finally reduce toxic air pollution from these sources are long overdue.

The bills we consider today would block and indefinitely delay EPA's efforts to reduce toxic emissions from two of these major sources. They would also rewrite the MACT standards once again, this time to weaken the protections 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.

Steve Pearlstein wrote: "Listening to the Republicans talk about the economy and economic policy is like entering into an alternative universe."

He is right. And these bills are additional proof.

Yesterday, 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, 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.