

Thank you all for inviting me to speak on this very important subject on oversight of CERCLA and the EPA's role in cleaning up contaminated sites around the country. I'd like to speak today about my experience with the Westlake landfill in St. Louis and how the EPA has failed for more than 30 years in its cleanup of nuclear waste dating back to the Manhattan Project and World War II. For three decades, the CERCLA process, and particularly the EPA, have failed the people of St. Louis in the most heartless manner possible.

Before I share the facts, I want to paint a bleak picture of what my constituents are facing. Moms and dads are watching their children suffer from and fight uncommon health afflictions. Local school districts are sending kids home with notices of emergency procedures related to the hazardous landfill. The county health department started testing nearby residents for respiratory problems and developed an emergency plan of its own.

I cannot possibly imagine what it would be like to open my child's book bag when they get home from school and learn that they are subject to extreme health risks. Or learn about the procedures they have been practicing in their classrooms in the event the radioactive waste meets fire. This is happening, and it is happening to innocent children every day in St. Louis. These are the experiences caused by years of EPA dereliction and inaction.

In 1990, the EPA listed Westlake on the National Priorities List under CERCLA. It wasn't until 28 years later in 2008 that the EPA was finally able to come up with a decision on what to do with the waste at the site. After intense public backlash and sharp criticism from the EPA's National Remedy Review Board, the Agency reopened the 2008 decision and has undertaken additional testing and study. In June of this year, another document prepared by the National Remedy Review Board in 2013 was released by the EPA stating that removing radioactive waste at the landfill was feasible and could reduce long-term risks, contradicting the EPA's earlier decision to leave the waste in place and capping it. The fact that this document has not been available before last month shows the lack of transparency and accountability that the EPA has demonstrated throughout this entire process. As the Missouri Attorney General stated, "the EPA has time and again made promises but failed to deliver results."

Meanwhile, families suffer as the clock ticks, ticks, ticks away.

During this additional testing, discovery of new radioactive material is consistently found outside of the known containment area, bringing considerable doubt in EPA's management of the site while pushing back the timeline for action.

At the same time, a subsurface fire is burning in an adjacent site and moving toward the radioactive waste, prompting significant, and absolutely justifiable, concern in the community that the EPA has turned a blind eye and failed in its mission to protect residents.

And despite the seriousness of the situation, the EPA has still not made a decision about what to do with the waste, pushing back their self-imposed deadline for releasing a decision time after time, year after year.

Failure after failure while entire communities wait. Forget cleanup and remediation. The EPA can't even make a decision about what to do with the federal government's nuclear waste. They have been unable to deliver on deadlines to ensure basic safety in preventing the underground fire from reaching the radioactive waste. In a letter from the International Association of Firefighters, they say, "Fire fighters in the area are especially concerned about the dangers posed by the underground smoldering fire at the nearby Bridgetown landfill. The proximity of the two landfills creates the potential for fire fighters and other emergency personnel to be exposed to radioactive materials during response operations."

Community leaders such as Dawn Chapman, Karen Nickel and Ed Smith have been tirelessly raising the alarm for years about the dangers posed by this site. I can tell you, this is the **first** issue I was briefed on after being elected to Congress nearly 4 years ago and it is past time for action. I appreciate their support and am asking this committee for help, on behalf all of my constituents and these leaders who recognize that something must be done to cleanup this nuclear waste and prevent health and safety concerns.

That's why I, along with Congressman Lacy Clay and Congressman Blaine Luetkemeyer, introduced legislation to transfer control of the landfill from the EPA to the Army Corps of Engineer's Formerly Utilized Sites Remedial Action Program (FUSRAP) – H.R. 4100. Companion legislation in the Senate has already been passed by unanimous consent. The Corps has successfully and professionally managed several other similar sites in the St. Louis area and across the country. This move is supported by the St. Louis community, including SSM Healthcare, which describes itself as "the health care provider serving the community surrounding the West Lake Landfill."

The EPA has had more than 30 years to understand and resolve the situation at this landfill, and they have delivered zero results. The Agency has undoubtedly lost the trust of the entire community, and my trust as well. It is time for someone new to step in. EPA has failed, and CERCLA has failed. And as my constituents and I continue our fight, the clock continues to run.