Opening Remarks of Ranking Member Whitehouse: *"Hearing to Examine the Future of PFAS Cleanup and Disposal Policy."*

Thank you Chair Capito for holding this hearing and to our witnesses for testifying today.

PFAS is a public health menace. These dangerous chemicals have been widely used for decades despite the harm they cause.

"Pandora's Box" has been opened, and these forever chemicals are here to stay in our water, our food chain, and our bodies. Chemical manufacturers and other polluters will try to pass the responsibility of managing the risks onto the rest of us.

The Superfund law is the best tool we have to hold polluters accountable. The retroactive, joint and several liability framework is crucial to its execution: if you are responsible for the release of harmful chemicals, you are also responsible for cleaning them up.

The manufacturers who profited off PFAS while Americans got sick should be held responsible.

If there are other responsible actors, EPA or the manufacturers can properly seek payment of some of the cleanup costs from these parties. However, manufacturers should not be able to abuse the law and aggressively use third-party suits to avoid paying their fair share.

EPA has the authority and the tools to clean up contaminated sites while protecting those who have acted responsibly. EPA has discretion when it comes to recouping cleanup costs, and it can provide contribution protection through settlements. This is what the enforcement discretion memo from the Biden Administration did, but it remains to be seen how the current EPA will enforce the law—or if they will continue writing a blank check to industrial polluters.

While I don't agree with most of what this EPA does, I commend them for maintaining PFOS and PFOA as hazardous substances under Superfund. Even a broken clock is right twice a day.

But the process cannot stop at the designation.

We need more research to identify safe ways to destroy or dispose of PFAS without creating newly contaminated sites. That research was already underway at EPA's Office of Research and Development when Administrator Zeldin recklessly shut the office down.

Funding is needed to remove PFAS from drinking water and the environment, but the Trump EPA wants to slash the State Revolving Funds that would pay for it.

Communities need guidance on handling, testing, and monitoring PFAS to ensure they stay safe and healthy, but thousands of EPA employees have been pushed out of the agency.

EPA's responsibility is to protect human health and the environment. But here again, we see evidence of EPA abdicating that responsibility and taking up the mantle of the Polluter Protection Agency.

I welcome hearing from our witnesses about EPA's authorities and where there are gaps in responsible remediation of PFAS. If there is a role for Congress to ensure that the right people pay to fix this problem, then I look forward to working together to find a solution.