

# Superfund

## A National Commitment to Prevent Toxic Threats



### BE SAFE's FOUR PRINCIPLES

#### 1. HEED EARLY WARNING SIGNS

In thousands of communities across America, polluters have dumped tons of highly toxic chemicals, including arsenic and mercury, in the midst of unsuspecting neighborhoods. These dumps poison the land, contaminate drinking water, and can cause health problems, such as cancer, birth defects and liver damage.

There are 600,000 known or suspected hazardous waste sites scattered across the nation. More than 1,200 of the worst sites have been identified by the federal government as serious threats to human health and are listed as Federal Superfund sites. "A national report to Congress found that up to 49 new toxic sites would be added to Superfund every year. [RFF]"

- One in four Americans—65 million people—lives within four miles of a Superfund site. [EPA]
- Fifty percent of the U.S. population relies on groundwater for its drinking water. Groundwater pollution is a problem at more than 85% of Superfund sites. [USPIRG]
- A California study found children born to mothers living within a quarter-mile of a Superfund site had a higher risk of birth defects, such as heart defects and neurological problems. [EPI]

#### The Federal Superfund Program

**One in four people in America, including 10 million children, live within four miles of a Superfund toxic waste site.** Congress passed the Federal Superfund law in 1980 in response to the toxic waste catastrophe at the Niagara Falls, N.Y., Love Canal dump. Both federal and state governments realized that a pool of funds was needed to clean up thousands of leaking toxic waste dumps and address serious environmental and human health problems.

#### Make Polluters Pay, Not Taxpayers

Superfund is a national commitment to prevent future toxic threats and to make polluters—not innocent taxpayers—pay to clean up hazardous waste sites. Congress created a trust fund and polluter-pays fees to finance Superfund. These fees helped build a fund of \$3.6 billion by 1995. The federal Environmental Protection Agency (EPA) used these funds to clean up toxic sites when polluters refused to do so, or when a polluter could not be found. Former Presidents Reagan, Bush, and Clinton all collected and supported reinstatement of the Superfund fees, which expired in 1995. Today, Superfund's polluter pays fees need to be reinstated by Congress and the President to provide money for cleanups at hundreds of toxic sites.

**BE SAFE: Take Precautionary Action  
Clean Up Health-Threatening  
Toxic Waste Dumps**

## The Superfund Fee System Makes Sense

Superfund has not only provided money to clean up polluted sites, but it provided an incentive for industry to act in a protective precautionary way. Industry is held to the same standards as private citizens—pay for the damage you create. This creates an incentive for industry to stop dumping wastes.

The Superfund fees also encourage waste reduction, since it may be cheaper for companies to use less toxic or non-toxic chemicals and technologies, or to reuse toxic materials. The fees on toxic chemical and petroleum products set up by the Federal Superfund law create a disincentive for industry to use dangerous chemicals, oil and petroleum products associated with the creation of Superfund sites. Superfund has resulted in substantial waste reduction by industry, as well as provided critical resources to clean up dangerous sites. Funds for quick action are especially needed since polluting corporations can spend decades in court arguing their level of responsibility for damages.

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BE SAFE is coordinated by the Center for Health, Environment & Justice. To sign the platform or for more information, contact us at CHEJ, P.O. Box 6806, Falls Church, VA 22040, 703-237-2249, or 518-732-4538, or visit [www.besafenet.com](http://www.besafenet.com)

## 2. PUT SAFETY FIRST

Industry and government have a responsibility to ensure toxic Superfund sites are cleaned up. Studies provide credible evidence of the human health and environmental damage from toxic chemical releases at Superfund sites. By taking a precautionary approach to toxic waste sites, we can aggressively stop the contamination of communities by acting quickly to halt chemical releases into our land, water and air. Superfund fees provide financial incentives for industries to reduce their use of toxic chemicals. By taxing the most dangerous chemicals, companies are more likely to find safer ways to conduct business and are less likely to create new waste sites.

## 3. EXERCISE DEMOCRACY

Many taxpayers support having “polluters pay for toxic cleanups”—meaning the responsible corporations and generators of toxic wastes that are found in Superfund sites. The American people have been clear that they *do not want their tax dollars* to go to clean up Superfund sites. They want General Electric, DuPont, Shell Oil, Union Carbide and others to clean up their own mess. American taxpayers want their tax dollars to go toward other pressing issues such as education, health care and affordable housing.

Since the Superfund tax expired in 1995, polluters have enjoyed a \$4 million-a-day tax holiday, totaling \$10 billion—a windfall that taxpayers would like to enjoy. Alarming, if the fees are not reinstated on polluters, taxpayers will likely contribute 79% or more of the Superfund trust fund resources in 2004. Government representatives need to listen to the American people and reinstate *Superfund's Polluter Pays* fees to pay for Superfund cleanups, rather than tax struggling, hardworking Americans, especially during these difficult economic times.

## 4. CHOOSE THE SAFEST SOLUTIONS

The Superfund law states a preference for permanent cleanups, rather than placing a plastic or dirt cap over toxic sites. It is unacceptable to choose a temporary solution that either moves the waste from one place to another, or only caps landfills in an attempt to contain dangerous wastes—methods that are selected to save companies money. Innovative technologies can permanently clean up toxic sites. There have been many advances in technologies so we can employ permanent solutions and clean up toxic wastes once and for all.

## ■ Find out about Toxic Sites in Your Community

You can investigate toxic sites and industrial air pollution near your home or your child's daycare center or school, by visiting [www.scorecard.org](http://www.scorecard.org). For assistance in organizing for a clean up of your local toxic waste site, contact the Center for Health, Environment & Justice at [www.chej.org](http://www.chej.org)

## ■ Support Superfund

Join the national campaign to make polluters pay to clean up toxic Superfund waste sites. For more information, contact your state PIRG (Public Interest Research Group) office at [www.pirg.org](http://www.pirg.org) or the Washington DC office at [www.uspirg.org](http://www.uspirg.org).

## ■ BE SAFE.

Take precautionary action to clean up health-threatening toxic waste dumps and prevent further harm. Sign on to the BE SAFE Platform on the next page. Be counted when we deliver this national Platform to the White House in 2005. Endorse the BE SAFE Platform today at [www.besafenet.com](http://www.besafenet.com)

## ■ Your Vote Counts

The next election will set the country's course on policies to clean up toxic waste sites. Your vote counts. For information on candidate's environmental voting records, contact [www.sierraclub.org](http://www.sierraclub.org) and [www.lcv.org](http://www.lcv.org). To register to vote, contact [www.earthday.net](http://www.earthday.net).

# Neighbors Organize for Cleanup at Toxic Stringfellow Acid Pits Site

Community residents in Riverside, California started *Concerned Neighbors In Action* when they discovered a Superfund toxic waste site in their neighborhood and successfully fought for a cleanup. Thirty four million gallons of chemicals were dumped in the lagoons of an old quarry between 1956 and 1972. In 1978, an exceptionally rainy season caused lagoons to overflow down the hillside, around a school and people's homes.

**“Thirty four million gallons of chemicals were dumped in our backyard.”**

**Penny Newman  
Riverside, CA**

This polluted rainwater contaminated the neighborhood, playground and drinking water at an elementary school. As president of the local PTA, Penny Newman joined with other parents to link this environmental disaster to the asthma, skin rashes, and headaches that mothers saw in their children. A shy housewife and teacher, Newman was transformed by her experience in battling the Stringfellow Acid Pits site—a grassroots organizing campaign that involved picketing, protests, media campaigns and lawsuits, ending in a settlement. The community group is still monitoring the clean up of the toxic site.

Riverside is not the only community where elementary school children may be at risk from toxic Superfund sites. A 2002 study by the *Child Proofing Our Communities Campaign* found that in five states over 1,195 public schools with over 600,000 students are located within a half mile of a State or Federal toxic contaminated site.

## References

*Superfund's Future*, Resources for the Future [RFF], 2001; Environmental Protection Agency website [EPA]; *Maternal Residential Proximity to Hazardous Waste Sites & Risk for Selected Congenital Malformations*, Croen LA, Shaw GM, Sanbonmatsu L, Selvin S, Buffler PA. *Epidemiology* 1997, 8(4):347-354 [EPI].

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# ***BE SAFE Platform***

*In the 21st century, we envision a world in which our food, water and air are clean, and our children grow up healthy and thrive. Everyone needs a protected, safe community and workplace, and natural environment to enjoy. We can make this world vision a reality. The tools we bring to this work are prevention, safety, responsibility and democracy.*

*Our goal is to prevent pollution and environmental destruction before it happens. We support this precautionary approach because it is preventive medicine for our environment and health. It makes sense to:*

- *Prevent pollution and make polluters, not taxpayers, pay and assume responsibility for the damage they cause;*
- *Protect our children from chemical and radioactive exposures to avoid illness and suffering;*
- *Promote use of safe, renewable, non-toxic technologies;*
- *Provide a natural environment we can all enjoy with clean air, swimmable, fishable water and stewardship for our national forests.*

*We choose a “better safe than sorry” approach motivated by caution and prevention.  
We endorse the common-sense approach outlined in the Blueprint’s four principles listed below.*

## ***Platform Principles***

### **HEED EARLY WARNINGS**

Government and industry have a duty to prevent harm, when there is credible evidence that harm is occurring or is likely to occur—even when the exact nature and full magnitude of harm is not yet proven.

### **PUT SAFETY FIRST**

Industry and government have a responsibility to thoroughly study the potential for harm from a new chemical or technology before it is used—rather than assume it is harmless until proven otherwise. We need to ensure it is safe now, or we will be sorry later. Research on impacts to workers and the public needs to be confirmed by independent third parties.

### **EXERCISE DEMOCRACY**

Precautionary decisions place the highest priority on protecting health and the environment, and help develop cleaner technologies and industries with effective safeguards and enforcement. Government and industry decisions should be based on meaningful citizen input and mutual respect (the golden rule), with the highest regard for those whose health may be affected and for our irreplaceable natural resources—not for those with financial interests. Uncompromised science should inform public policy.

### **CHOOSE THE SAFEST SOLUTION**

Decision-making by government, industry and individuals must include an evaluation of alternatives, and the choice of the safest, technically feasible solutions. We support innovation and promotion of technologies and solutions that create a healthy environment and economy, and protect our natural resources.

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**Take precautionary action to clean up health-threatening toxic waste dumps.**

**Sign onto the BE SAFE Platform.**

Be counted when we deliver this national platform to the White House in 2005. Endorse the platform today at [www.besafenet.com](http://www.besafenet.com)

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