



Institute for Liberty Issue Backgrounder: HR 4100

*HR 4100 sets back the remediation process timeline
and saddles the taxpayer with cleanup costs*

Key Takeaways

- ✓ **HR 4100 will cost taxpayers starting in the first year at least \$3.5 million alone**
- ✓ **HR 4100 will require as much as a 5 year delay in mitigation**

Despite claims to the contrary, enactment of HR 4100 will likely delay cleanup commencement and will force taxpayers to incur millions of dollars in costs.

Consider the following:

- Nothing in HR 4100 requires the cleanup to begin in 2016 or waives the requirements for the Army Corp of Engineers (USACE) to make an independent assessment of environmental risks. USACE has a legal responsibility to ensure that any remediation plan undertaken is conducted according to the strict guidelines of federal law. This assessment could take up to 5 years to complete.
- The current process, which identified the private parties responsible for paying for the cleanup and went through a quarter-century of analysis in order to create a solid remediation plan, is now ready to commence however HR 4100 overturns that plan.
- As a result of the 25-year assessment process, EPA considers two actions to be of immediate concern: the installation of an “isolation barrier” to prevent the migration of hazardous waste, as well as the installation of a “fire protection cap” to reduce risks from underground fires. Currently, the responsible private parties would pay for that barrier, but under HR 4100, those costs would shift to the USACE (and therefore taxpayers), a potential cost of between \$15 million and \$33 million.¹
- Those costs are for the first year, alone, and don’t include ongoing monitoring and maintenance efforts currently being paid for by the responsible private parties—those costs, roughly \$3.5 million this year (and hundreds of thousands of dollars each year thereafter, once clean-up is completed), will also shift to American taxpayers.
- While “capping” the landfill would cost just over \$40 million, fully-excavating the West Lake Landfill (one USACE option) could cost taxpayers over **\$415 million!**²³

¹<http://yosemite.epa.gov/opa/admpress.nsf/beebc0b489d357e08525735900400c2f/647ddd6b1dbb289f85257f2c006fd32a!OpenDocument>;

<http://yosemite.epa.gov/opa/admpress.nsf/beebc0b489d357e08525735900400c2f/b21fa072fc40c97d85257f17006e68f6!OpenDocument>

² http://www3.epa.gov/region07/cleanup/west_lake_landfill/pdf/west-lake-final-riffs-sow-12-9-2015.pdf

³ <http://westlakelandfill.com/SFS.aspx>.