

Who should pay - the victims or the polluters?

Superfund is the name given to the environment program established to address abandoned hazardous waste sites. The fund was established by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

CERCLA enables the EPA to clean up such sites and to compel responsible parties to perform clean ups or reimburse the government for EPA-lead clean ups.

In 1995 Congress failed the American people and our environment when Superfund Tax was not re-authorized. Polluters were no longer made to pay the tax that had been levied through CERCLA.

Without the Superfund Tax stream of funding from polluters, the fund was depleted. This left EPA's Superfund Division negotiating and bargaining with each site's polluter's, if any could be found for cleanup expenses. *OR* clean up was paid for through individual Acts of Congress or "pork" when senators were able to add those costs onto bills going through Congress. As of May 29, 2009 EPA listed 1264 current sites, 67 proposed sites and 1064 sites completed.

The Tar Creek Superfund Site in Ottawa County, Oklahoma was listed on the Environmental Protection Agency's original National Priorities List as first and worst in 1983. It was deemed a "mega-site", still listed as a current site with at least twenty more years before clean up is expected.

Most of the 47 square miles of the Tar Creek Superfund Site is within the Quapaw Tribal boundary in Oklahoma. The creeks run red and orange with acid mine drainage from both the contaminated aquifer and runoff from lead and zinc tailings piles. These piles contain metals at hazardous levels, left for recreational use while yet other piles are being sold commercially as part of the remedy at this site.

Former mining companies and the Department of Interior, Bureau of Indian Affairs are being held responsible for the damage to this site. The negotiations have continued *SO* long several of the major responsible mining companies have taken bankruptcy and are no longer viable and able to participate in the required cleanup.

LEAD Agency hopes that there will be "*NO MORE TAR CREEKS*" but as long as companies are allowed to continue polluting without consequences, the threat continues.

Please write and encourage Congress to Re-Authorize the Superfund Tax and get our communities cleaned up! Share this information with others – including your family! A united voice now could make all the difference.

The Tar Creek Superfund Site has had some successes, but there is a long way from completion. Re-authorizing the Superfund Tax can make this process more dependable.

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