



Center for Health, Environment & Justice

Mentoring a Movement, Empowering People, Preventing Harm

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Superfund Polluter Pays Restoration Act of 2017 (S. 2198)¹

- This bill was introduced in by Senator Cory Booker (D-NJ) on December 6th, 2017. The bill has two cosponsors: Senator Robert Menendez (D-NJ) and Senator Sheldon Whitehouse (D-RI).
- If passed, the bill would:
 - Restore the Hazardous Substance Superfund financing rate.
 - Increase the rate from 9.7 cents to 15.8 cents per barrel of crude oil, with the rate being adjusted for inflation after 2018.
 - Restore and increase tax rates on taxable chemicals, with rates being adjusted for inflation after 2018.
 - Change the legal definition of “crude oil” to include “any bitumen or bituminous mixture, any oil derived from a bituminous mixture (including oil derived from tar sands), and any oil derived from kerogen-bearing sources (including oil derived from oil shale)”.
- Positive aspects of the bill:
 - Does not include a “sunset clause”, therefore it does not expire.
 - Exports are not excluded from the terms laid out in the bill.
 - Not only reinstates oil and chemical taxes, but also raises the rates and includes a provision for inflation adjustments.
 - The list of taxable toxic chemicals has been updated.
 - Allows for direct access of funds from oil and chemical taxes rather than relying on Congress to appropriate funding from general revenue.
- Limitations of the bill:
 - Does not include a corporate environmental income tax for companies that use hazardous substances.

Updated July 2018

¹ Superfund Polluter Pays Restoration Act of 2017, S. 2198, 115th Cong. (2017).