

KLIMASUPERFONDS

HAFTBAR FÜRS KLIMA?

*PROGRAMM FÜR INTERNATIONALE KLIMAGERECHTIGKEIT, REFERAT
INTERNATIONALE POLITIK
ROSA-LUXEMBURG-STIFTUNG*

09.09.2025

KLIMASUPERFONDS

- Woher kommt die Idee?
- Wie ist die Ausgestaltung?
- Was sind die Kernargumente dagegen?
- Wie steht die aktuelle Regierung dazu?

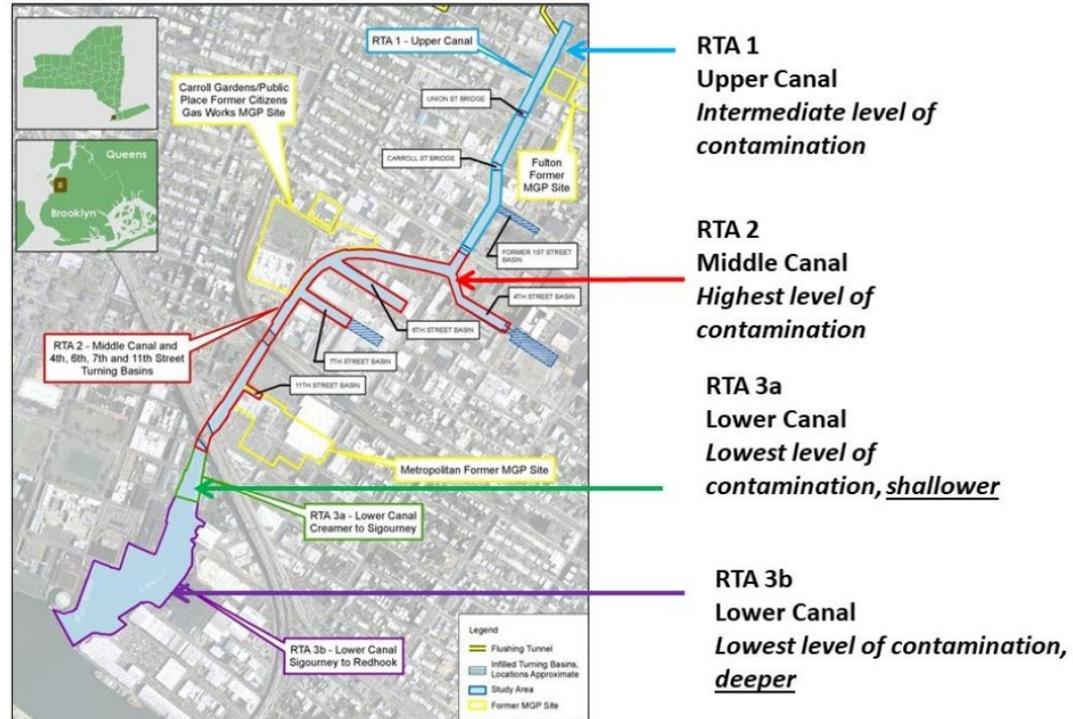
WOHER KOMMT DIE IDEE DER *CLIMATE SUPERFUNDS*?

**COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT OF 1980**
“SUPERFUND”

@ EnviroWiki

GOWANUS CANAL

Remediation Target Areas (RTAs)



CREATURES OF THE CANAL

'Creatures of the Canal' surface at first annual Gowanus Art Parade

By Gabriele Holtermann

Posted on June 3, 2024



Locals donned outfits inspired by creatures both real and imaginary for the first annual Gowanus Art Parade on June 1.

Photo by Gabriele Holtermann

DER SCHADEN



The screenshot shows the EPA website's news release page. At the top, the EPA logo and name are on the left, and a search bar is on the right. Below this is a navigation bar with links for Environmental Topics, Laws & Regulations, Report a Violation, and About EPA. The main content area features a breadcrumb trail (Home / News Releases), a 'Related Links' sidebar with a link to Region 02 news releases, and a main article titled 'EPA Reaches New Milestone in Cleanup of the Gowanus Canal Superfund Site Cleanup'. The article includes a sub-headline, a date of July 1, 2024, contact information for Stephen McBay, and a paragraph of text starting with 'NEW YORK'.

EPA United States Environmental Protection Agency

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Region 02

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EPA Reaches New Milestone in Cleanup of the Gowanus Canal Superfund Site Cleanup

Issues Order to Require \$369 Million Cleanup of Second Canal Section

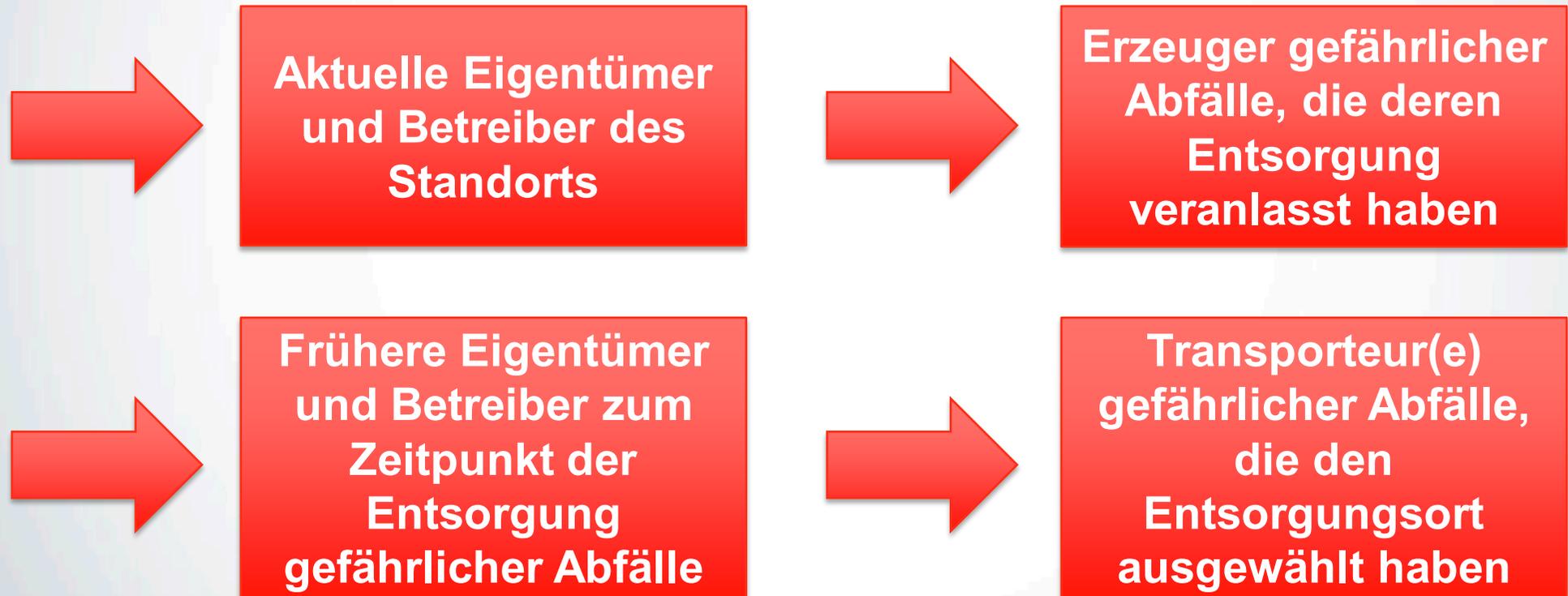
July 1, 2024

Contact Information
Stephen McBay (mcbay.stephen@epa.gov)
(212)-637-3672

NEW YORK – Today, the U.S. Environmental Protection Agency (EPA) announced that it has amended its administrative cleanup order for the [Gowanus Canal Superfund site in Brooklyn](#), New York on June 27, 2024, to address the middle segment of the canal – known as Remediation Target Area (RTA) 2.

@ US Environmental Protection Agency

WELCHE KRITERIEN WERDEN ANGESETZT?



WER IST VERANTWORTLICH?

EPA and the New York State Department of Environmental Conservation (NYSDEC) are closely coordinating the cleanup of the Gowanus Canal and the surrounding area. EPA, NYSDEC, and the New York State Department of Health have been and will continue to oversee the work, which includes plans for community health and safety monitoring. The order amendment has been issued to six parties that EPA determined have the largest shares of responsibility for the contamination at the Gowanus Canal site: Brooklyn Union Gas Co. d/b/a National Grid New York; the City of New York; Consolidated Edison Co. of New York, Inc.; Hess Corp.; Honeywell International Inc., and The Brooklyn Improvement Co.

The logo for Honeywell, featuring the word "Honeywell" in a bold, red, sans-serif font.The logo for National Grid, featuring the word "nationalgrid" in a blue, sans-serif font, with "national" in lowercase and "grid" in a larger, bold lowercase font.The logo for Con Edison, featuring a stylized blue "E" icon followed by the word "conEdison" in a blue, sans-serif font.The logo for Hess, featuring the word "HESS" in a bold, green, sans-serif font.

KLIMASUPERFONDS IN NEW YORK

“With nearly every record rainfall, heat wave, and coastal storm, New Yorkers are increasingly burdened with billions of dollars in health, safety, and environmental consequences due to polluters that have historically harmed our environment,” Governor Hochul said.

Hochul Signs Law That Penalizes Companies for Greenhouse Gas Emissions

The measure will seek to raise funds to pay for some of the damage caused by extreme weather events, which are becoming more frequent because of the combustion of fossil fuels.

▶ Listen to this article · 5:18 min [Learn more](#) [Share full article](#) [↗](#) [🔖](#) [💬 423](#)



Gov. Kathy Hochul of New York has signed a new law that calls on the biggest greenhouse gas emitters in the state to pay for improvements to infrastructure. Cindy Schultz for The New York Times



By Hilary Howard

Dec. 26, 2024

VERANTWORTLICHKEIT FOSSILER BRENSTOFFUNTERNEHMEN

5. a. The obligation to pay under the program is based on the fossil fuel companies' historic contribution to the buildup of greenhouse gases that is largely responsible for climate change. The program operates under a standard of strict liability; companies are required to pay into the fund because the use of their products caused the pollution. No finding of wrongdoing is required.

@New York State Senate

NOTWENDIGKEIT

c. Since 2022, the fossil fuel industry has taken advantage of several overlapping global crises to earn immense profits, charging record high prices while aggressively rejecting any responsibility for the costs of its business activities. While all the profits accrue to the companies, all of the costs of climate change are paid by taxpayers and individuals. This is a market failure that needs to be addressed through policy change.

@New York State Senate

NUTZEN

6. Payments by historical polluters into the climate change adaptation cost recovery program would be used for new or upgraded infrastructure needs such as coastal wetlands restoration, stormwater drainage system upgrades, energy efficient cooling systems in public and private buildings, including schools and public housing, support for programs addressing climate-driven public health challenges, and responses to extreme weather events, all of which are necessary to protect the public safety and welfare in the face of the growing impacts of climate change. The cost to the state of climate adaptation investments through 2050 will easily exceed \$150 billion, far more than the \$75 billion being assessed on the fossil fuel industry. At least 35%, with a goal of 40% or more of the overall benefits of program spending would go to climate change adaptive infrastructure projects that directly benefit disadvantaged communities.

KRITERIEN UND ZAHLUNGSBEISPIEL

- Extraktion
 - Lagerung
 - Produktion
 - Raffinierung
 - Transport
 - Herstellung
 - Vertrieb
 - Verkauf
 - Nutzung
- Die Gesamtsumme von **75 Milliarden US-Dollar** wird auf die verantwortlichen Unternehmen proportional zu ihrem Emissionsanteil am Gesamtvolumen verteilt
 - Beispiel: Ein Unternehmen, das 5% der Gesamtemissionen verursacht hat, zahlt 5% von 75 Mrd. USD, also 3,75 Mrd. USD

KLIMASUPERFOND IN VERMONT

The [groundbreaking law](#), versions of which are being considered in several other states, will allow Vermont to charge companies according to the share of emissions they produced between 1995 and 2024. The legislation was inspired by the 1980 federal superfund law, under which polluters can be forced to pay for environmental cleanup costs.

The New York Times

Vermont to Require Fossil-Fuel Companies to Pay for Climate Damage

Under the country's first "climate superfund" law, Vermont will charge large emitters for climate-related damage to the state.

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Flood damage in Barre, Vt., last July. Hilary Swift for The New York Times

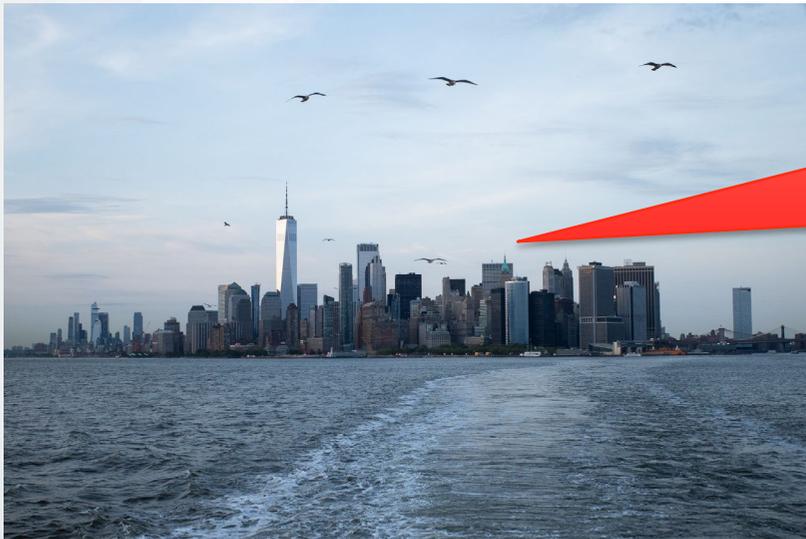


By **Manuela Andreoni**

Published May 31, 2024 Updated June 1, 2024

@NYTimes

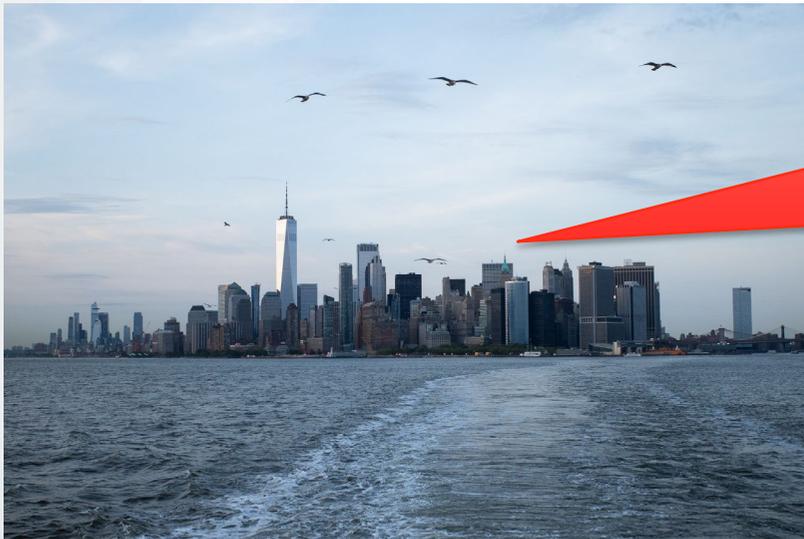
KERNARGUMENTE DER GEGNER



@DavidWilliams

**Klimawandel ist ein
globales Problem
das nur global gelöst
werden kann!!**

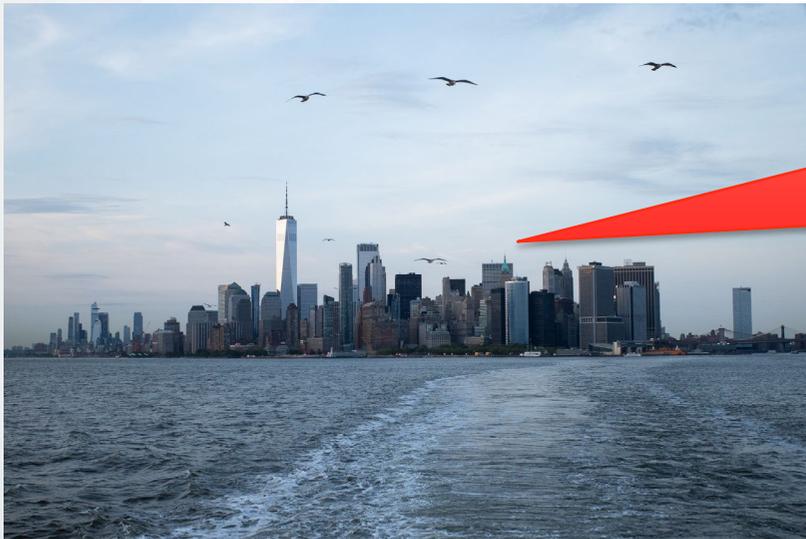
KERNARGUMENTE DER GEGNER



@DavidWilliams

**Wir verursachen alle
Emissionen – wir
sind alle Teil des
Problems!!**

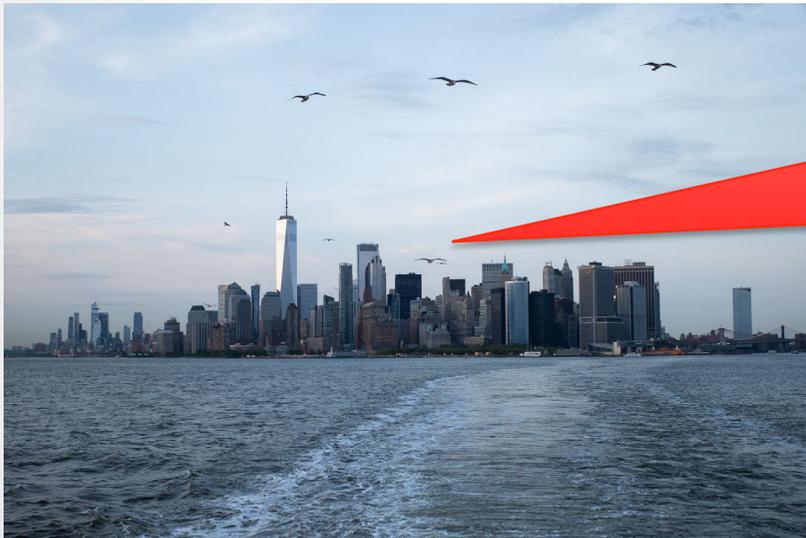
KERNARGUMENTE DER GEGNER



@DavidWilliams

Das wird die Kosten
für Konsumenten in
die Höhe treiben!!

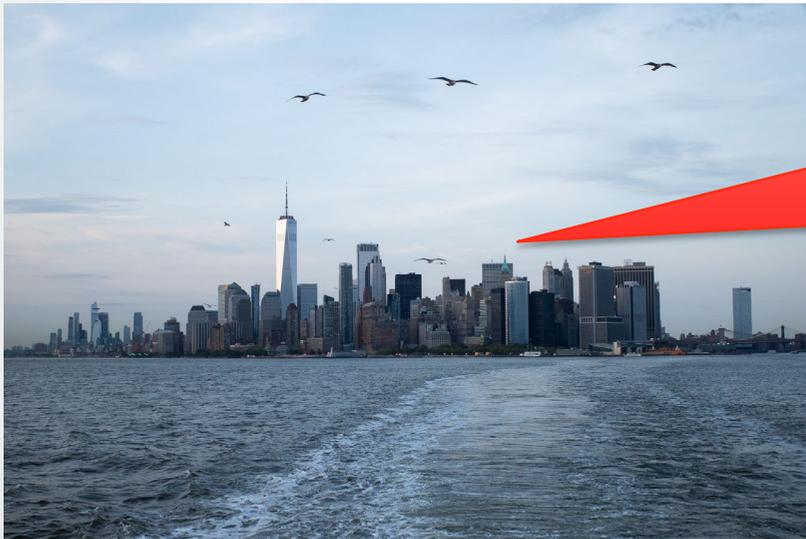
KERNARGUMENTE DER GEGNER



@DavidWilliams

Is gibt keinen direkten
Zusammenhang
zwischen fossilen
Brennstoffunternehmen
und Klimaschäden!!

KERNARGUMENTE DER GEGNER



@DavidWilliams

**Klimaschutz wird auf
der nationalen Ebene
festgelegt!!**

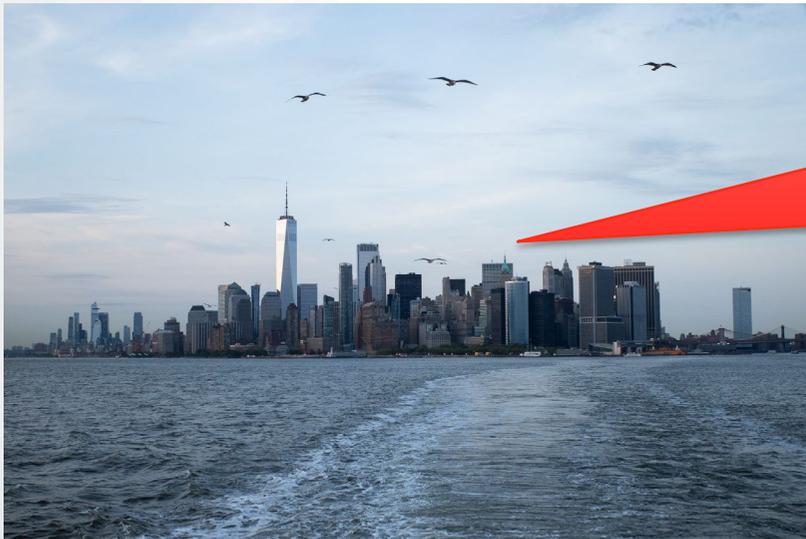
KERNARGUMENTE DER GEGNER



@DavidWilliams

**Rückwirkende
Haftung ist illegal
und schädlich für die
Wirtschaft!!**

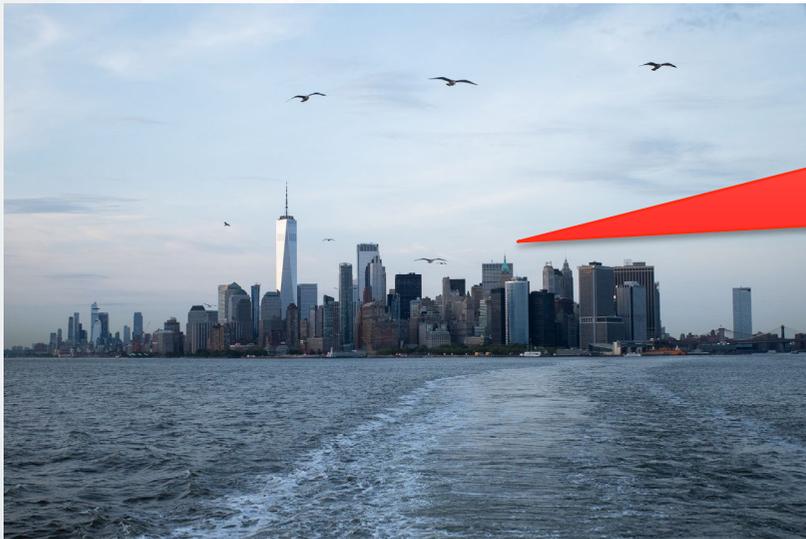
KERNARGUMENTE DER GEGNER



@DavidWilliams

Was wäre, wenn
jeder Bundesstaat
das jetzt auch
macht?!

KERNARGUMENTE DER GEGNER



@DavidWilliams

Und was ist mit den
ausländischen
Unternehmen?!

ERSTE GERICHTSVERFAHREN

- Klage von **22 Bundesstaaten** (angeführt von West Virginia)
- **Vorrang des Bundesrechts** (insbesondere **Clean Air Act**)
- **Kompetenzüberschreitung** des Bundesstaats New York

ZWEITE GERICHTSVERFAHREN

- Klage von **Industrie- und Wirtschaftsverbände**
- Eingereicht durch die **U.S. Chamber of Commerce**, das **American Petroleum Institute (API)**, die **National Mining Association** sowie den **New York State Business Council**
- **Verfassungsverletzungen**
- **Vorrang des Bundesrechts**

WIE VERHÄLT SICH DIE US BUNDESREGIERUNG?



Sec. 2. Emergency Approvals. (a) The heads of executive departments and agencies (“agencies”) shall identify and exercise any lawful emergency authorities available to them, as well as all other lawful authorities they may possess, to facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy resources, including, but not limited to, on Federal lands. If an agency assesses that use of either Federal eminent domain authorities or authorities afforded under the Defense Production Act (Public Law 81-774, 50 U.S.C. 4501 *et seq.*) are necessary to achieve this objective, the agency shall submit recommendations for a course of action to the President, through the Assistant to the President for National Security Affairs.

WIE VERHÄLT SICH DIE US BUNDESREGIERUNG?



Sec. 2. State Laws and Causes of Action. (a) The Attorney General, in consultation with the heads of appropriate executive departments and agencies, shall identify all State and local laws, regulations, causes of action, policies, and practices (collectively, State laws) burdening the identification, development, siting, production, or use of domestic energy resources that are or may be unconstitutional, preempted by Federal law, or otherwise unenforceable. The Attorney General shall prioritize the identification of any such State laws purporting to address “climate change” or involving “environmental, social, and governance” initiatives, “environmental justice,” carbon or “greenhouse gas” emissions, and funds to collect carbon penalties or carbon taxes.

DRITTE GERICHTSVERFAHREN

- **Bundesregierung** erhob separate Klagen für NY und Vermont
- Durch das **Clean Air Act** verdrängt
- Verstoßen gegen **Klauseln zum innerstaatlichen und ausländischen Handel**
- Verletzen die **Befugnis der Bundesregierung in außenpolitischen Angelegenheiten**



@abcnews

NEUESTE ENTWICKLUNG

- Letzten Freitag bat das Justizministerium ein Gericht, den Bundesstaat New York dauerhaft daran zu hindern, sein neues **"Climate Change Superfund Act"**-Gesetz in Kraft zu setzen
- „New York hat denjenigen den Krieg erklärt, die unsere Nation mit zuverlässiger und erschwinglicher Energie versorgen,“ schrieben die Anwälte des Justizministeriums.



@abcnews

TRUMP AND BIG OIL – EIN THEMA FÜR SICH

Big oil spent \$445m in last election cycle to influence Trump and Congress, report says

Investments 'likely to pay dividends', analysis says, as Trump unleashes dozens of pro-fossil fuel executive actions



📷 Donald Trump with billionaire oil magnate Harold Hamm in Pittsburgh in 2019. Photograph: Evan Vucci/AP

DER WIDERSTAND WÄCHST

