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Congress of the United States
House of Representatives
SELECT COMMITTEE ON THE CLIMATE CRISIS
359 FORD HOUSE OFFICE BUILDING
Washington, DC 20515
(202) 225-1106
www.climatecrisis.house.gov

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July 29, 2021

Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: Urge Consideration of Escalating Hazards to Chemical and Industrial Facilities Due to Climate-Fueled Extreme Events, Particularly on Environmental Justice Communities

Dear Administrator Regan,

We respectfully urge the Environmental Protection Agency (EPA) to update and consider the escalating hazards to chemical and industrial facilities due to climate-fueled extreme events, particularly on environmental justice communities, during agency rulemaking and other policymaking.

The climate crisis is a threat multiplier that will continue to exacerbate existing inequalities unless action is taken to mitigate such harm. As you know, environmental justice communities are disproportionately exposed to environmental hazards and the risks are getting worse. People of color comprise 36% of the U.S. population but represent 47% of residents within one mile of regulated chemical facilities.¹ Low-income Americans are also disproportionately represented within these geographical areas.² Moreover, disasters are nearly twice as likely to occur in chemical facilities close to communities of color as compared to those in predominantly white communities.³

We are particularly concerned about the health risks of these chemical disasters; when hazardous chemicals are stored onsite, they can ignite and explode, putting surrounding frontline communities at risk of exposure to health-harming toxic pollution. According to a new report

¹ David Flores, Casey Kalman, Michelle Mabson, and Darya Minovi, *Preventing Double Disasters: How the U.S. Environmental Protection Agency Can Protect the Public from Hazardous Chemical Releases Worsened by Natural Disasters* (Center for Progressive Reform, Earthjustice, Union of Concerned Scientists, July 2021).

² Ibid.

³ Ibid.

“Preventing Double Disasters: How the U.S. Environmental Protection Agency Can Protect the Public from Hazardous Chemical Releases Worsened by Natural Disasters,” roughly **one third** of regulated Risk Management Program (RMP) chemical facilities are located in areas vulnerable to the physical risks of climate change, like flooding, wildfires, and hurricanes. Such natural and climate disasters can increase the risks of these dangerous releases and explosions taking place, a compounded problem known as “natural hazard-related technological disasters.”

The Climate Crisis Action Plan highlights the impacts of Hurricanes Harvey, Maria, and Florence on industrial facilities, brownfields, Superfund sites, and coal ash sites and recommends reducing the risks and costs of toxic releases through legislative action. Key recommendations include establishing new financial assurance requirements for owners of such facilities and sites and providing grants and technical assistance to communities to clean up and reuse contaminated properties.

Existing law provides EPA critical authorities to regulate chemical facilities to address climate risks. The Double Disasters report, written by the Center for Progressive Reform, Earthjustice, and the Union of Concerned Scientists, identifies key strategies EPA should require of regulated facilities, including to:

- Assess climate-related risks and implement measures, such as providing backup power and using safer equipment and systems, to prevent and mitigate these risks;
- Make chemical hazards information publicly available and inform communities about emergency response plans for natural hazard-related technological disasters;
- Involve workers in disaster preparedness and response plans for natural hazard-related technological disasters; and
- Conduct real-time monitoring and timely community notification of toxic air emissions.

Beyond these requirements, the report also highlights that the EPA should:

- Expand RMP to include more facilities in areas exposed to physical climate risks;
- Ensure that new rulemakings require prompt implementation and compliance; and
- Invest in enforcement, provide technical assistance grants to communities so they can participate in RMP planning, and provide emergency protection equipment for affected communities.

We encourage the EPA to ensure that the rulemaking underway to update the Risk Management Program addresses these critical impacts and stand ready to work with you to protect American communities from chemical disasters. If you have any questions or comments, please do not hesitate to contact the Select Committee’s Staff Director, Ana Unruh Cohen, at (202) 225-1106 or via email at ana.unruhcohen@mail.house.gov.

Sincerely,



Kathy Castor
Chair
Select Committee on the Climate Crisis



Suzanne Bonamici
Member of Congress



Julia Brownley
Member of Congress



Jared Huffman
Member of Congress



A. Donald McEachin
Member of Congress



Mike Levin
Member of Congress



Sean Casten
Member of Congress



Joe Neguse
Member of Congress



Veronica Escobar
Member of Congress