

President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

October 8, 2015

Dear Mr. President:

The images of the August 12 chemical blasts that claimed 173 lives in Tianjin, China were absolutely horrifying. Yet, as you know, there are many places in the United States where a disaster of even greater magnitude could occur. Although your August 1, 2013 Executive Order (EO) 13650 “Improving Chemical Facility Safety and Security” directed federal agencies to modernize chemical facility safety and security regulations, the U.S. Environmental Protection Agency (EPA) has yet to propose a new rule.

On March 19, 2015, our coalition of more than 100 organizations wrote to you about the pace of chemical facility rulemaking by the EPA<sup>i</sup>. Because it is not unusual for a rulemaking to take fifteen or more months, we informed the EPA in February that their schedule could jeopardize a final rule, putting it at risk of reversal by a new Congress or President in 2017. EPA’s inaction also jeopardizes all your years of leadership on this important issue.

We would like to meet with decision-makers on your staff at their earliest convenience to discuss ways we can work together on this. In addition to the slow pace of rulemaking, we are equally concerned about the substance of the rule. We fear that the EPA may fall far short of the prevention policies you advocated for in the Senate, and the principles your administration advanced on Capitol Hill. Primary among those principles were requirements to use safer chemical processes or inherently safer technologies (IST) where feasible<sup>ii</sup>.

It is essential that the EPA make cost-effective IST requirements an integral part of any revision of its Risk Management Program (RMP) to eliminate the many catastrophic hazards faced by workers and communities across the U.S. Unfortunately, EPA’s June alert to industry on IST continued its long standing reliance on costly voluntary measures<sup>iii</sup>.

Instead commonsense IST requirements have the support of a majority of Americans. The attached poll conducted August 20-23rd by Lake Research Partners (LRP)<sup>iv</sup> found that 79 percent of likely voters, including majorities of Democrats and Republicans, favor new federal requirements to use IST where feasible. After learning that there have been over 400 chemical releases and explosions since 2013 that killed a total of 82 people and injured 1,600,<sup>v</sup> support for IST requirements increased to 82 percent.

The LRP poll also showed that Americans **do not** agree with special interest claims that voluntary measures are adequate. Nor do Americans agree that new IST prevention requirements will “kill jobs.” In fact, an independent analysis shows that converting to safer technologies will create jobs.<sup>vi</sup>

Although hundreds of chemical facilities have taken advantage of safer cost-effective alternatives (including Washington, D.C.'s waste water treatment plant and all U.S. Clorox facilities), 466 U.S. chemical facilities each continue to endanger 100,000 or more people, (December 2014 Congressional Research Service analysis). Taken together, these facilities put over 100 million Americans at risk. Recent research also shows that millions living in "vulnerability zones" near chemical facilities are disproportionately African American or Latino. This inequity is even greater in the "fence line" communities closest to these facilities.<sup>vii</sup>

In *Change We Can Believe In* you promised "*federal regulations that all plants must follow, including improving barriers, containment, mitigation and safety training, and wherever possible, using safer technology, such as less toxic chemicals.*" We, too, envision a future where all chemical plants are safer, and Americans who live in their shadows do not fear a chemical disaster every day.

In an April 2012 letter to EPA Administrator Lisa Jackson, former EPA Administrator Christine Todd Whitman embraced the March 2012 call for IST requirements by the EPA's National Environmental Justice Advisory Council (NEJAC)<sup>viii</sup> saying, "I therefore fully support the implementation of the NEJAC recommendations and any other authorities you can apply to reduce these hazards before a tragedy of historic proportions occurs."<sup>ix</sup>

We respectfully urge you and your administration to use that authority and finalize new rules no later than the middle of 2016.

Thank you for your leadership on this important issue.

Sincerely,

Pamela Miller, Executive Director  
**Alaska Community Action on Toxics**

Charlotte Brody, Vice President, Health Initiatives  
**BlueGreen Alliance**

Katherine McFate, President and Chief Executive Officer  
**Center for Effective Government**

Tenya M. Steele MS, DrPH(c), Executive Assistant  
**Center for Environmental Health**

Stephen Lester, Science Director  
**Center for Health, Environment and Justice**

Lynn Thorpe, National Campaigns Director  
**Clean Water Action**

Elizabeth Crowe and Judy Robinson, Co-Directors  
**Coming Clean**

David LeGrande, Occupational Safety and Health Director  
**Communications Workers of America**

Denny Larson, Executive Director  
**Community Science Institute**

Sofia Martinez, President  
**Concerned Citizens of Wagon Mound & Mora County, NM**

Yolanda Whyte, MD, President  
**Dr. Whyte Pediatrics Atlanta, GA**

Annie Leonard, Executive Director  
**Greenpeace**

Darrell Hornback, Director, Health and Safety Department  
**International Chemical Workers Union Council/UFCW**

Michele Roberts, National Co-Coordinator  
**Environmental Justice Health Alliance for Chemical Policy Reform**

Ken Cook, President  
**Environmental Working Group**

Jeannie Economos, Pesticide Safety and Environmental Health Project Coordinator  
**Farmworker Association of Florida**

Fran Teplitz, Executive Co-Director; Business, Investing & Policy  
**Green America**

Bill Walsh, Executive Director  
**Healthy Building Network**

Karen Joy Miller, President  
**Huntington Breast Cancer Action Coalition, Inc**

Jose T. Bravo, Executive Director  
**Just Transition Alliance**

Richard Moore, Co-Coordinator  
**Los Jardines Institute (The Gardens Institute)**

Dominique Browning, Senior Director  
**Moms Clean Air Force**

David Halperin, Former Staff Member  
**National Security Council & Senate Intelligence Committee**

Debra Coyle McFadden, Interim Director  
**New Jersey Work Environment Council**

Martha Dina Argüello, Executive Director  
**Physicians for Social Responsibility - Los Angeles (PSR-LA)**

Marybeth Dunn MPH, Chapter Director  
**Physicians for Social Responsibility/Florida**

Tyson Slocum, Director of Public Citizen's Energy Program  
**Public Citizen**

Juan Parras, Executive Director  
**Texas Environmental Justice Advocacy Service (T.E.J.A.S.)**

Andrew Rosenberg, Director of the Center for Science and Democracy  
**Union of Concerned Scientists**

Mike Wright, Director of Health, Safety & Environment  
**United Steelworkers**

Matt Prindiville, Executive Director  
**Upstream**

Gerald Poje, Founding Board Member  
**U.S. Chemical Safety Board**

Andre Delattre, Executive Director  
**U.S. Public Interest Research Group**

Alexandra Scranton, Director of Science and Research  
**Women's Voices for the Earth**

CC:

Gina McCarthy, Administrator, U.S. Environmental Protection Agency

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<sup>i</sup> <https://preventchemicaldisasters.files.wordpress.com/2015/03/coalition-ltr-to-pres-obama-final-march-2015.pdf>

<sup>ii</sup> [http://www.epa.gov/ocir/hearings/testimony/111\\_2009\\_2010/2009\\_1001\\_pss.pdf](http://www.epa.gov/ocir/hearings/testimony/111_2009_2010/2009_1001_pss.pdf)

<sup>iii</sup> [http://www2.epa.gov/sites/production/files/2015-06/documents/alert\\_safer\\_tech\\_alts.pdf](http://www2.epa.gov/sites/production/files/2015-06/documents/alert_safer_tech_alts.pdf)

<sup>iv</sup> <http://www.lakeresearch.com/images/share/memo.ChemicalFacilitySafety.F.100815.pdf>

<sup>v</sup> <http://preventchemicaldisasters.org>

<sup>vi</sup> <http://www.misi-net.com/publications/HR2868-0710.pdf>

<sup>vii</sup> <http://comingcleaninc.org/whats-new/whos-in-danger-report#sthash.kzGJ9WDF.dpuf>

<sup>viii</sup> <https://www.documentcloud.org/documents/332041-nejac-letter.html>

<sup>ix</sup> <https://www.documentcloud.org/documents/331659-ct-whitman-letter-to-lisa-jackson-april-2012.html>