

People Concerned About Chemical Safety

Promoting environmental justice and chemical safety through education and advocacy

December 12, 2017

The Honorable Senator Joe Manchin
306 Hart Senate Office Building
Washington D.C. 20510

The Honorable Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510

Re: Proposed Cuts to EPA's Staff and Programs Would Harm Charleston's and West Virginia's Health and Safety, and Decimate Local and State Budgets

Dear Senator Manchin and Senator Capito:

On behalf of our members in West Virginia and its Charleston community, we write today urging your action to protect funding and programs administered by the US Environmental Protection Agency (EPA) that are vital to our individual health and the health of our community. Your support is urgently needed to oppose the Trump Administration's massive proposed cuts to a wide variety of programs and grants that protect West Virginia children and families, especially those already disproportionately exposed to toxic hazards, including proposed cuts to EPA's Environmental Justice programs and other grants and activities that have helped West Virginia combat the increase in asthma attacks in children, lead in water, and other hazards.

People Concerned About Chemical Safety (PCCS) is a community organization in the Kanawha Valley that has been active in local affairs for over 30 years. Dedicated to the protection of health and safety of all who reside, work, and study in the vicinity of chemical facilities, we promote environmental justice and chemical safety through education and advocacy.

Charleston, WV and the surrounding area is a vibrant community, but it is also a community dealing with a legacy of environmental injustice, toxic chemical releases and disasters, contaminated industrial sites, and substantial economic development problems. Community organizations, businesses, and local and state governments cannot make progress in addressing these challenges without the critical support, expertise, and funding provided by EPA staff, programs, and grants (both special funds or grants and the "categorical" grants that support state development and implementation of air, water, and other health and environmental programs).

I live in an area with a high number of facilities that use and store dangerous chemicals, known as "Chemical Valley." Multiple times during my 65 years of living here, I've had to shelter in place – tape up windows and huddle inside my home – when nearby plants experienced explosions or chemical leaks. More than 30 years have passed since a chemical release at a Union Carbide plant here sent hundreds of workers and residents to the hospital, yet people are still being exposed to toxic chemicals during frequent incidents at hazardous facilities in West Virginia and elsewhere. In 2008, an explosion at the former Union Carbide plant – then owned by Bayer CropScience – killed two people and injured eight more. In 2010, at the DuPont plant in Belle, there was a series of incidents including the release of highly toxic phosgene – resulting

in the death of an employee. Phosgene gas was used during World War I as a choking agent.

The Charleston area's concentration of heavy industrial facilities that store, use, and release many highly hazardous chemicals has created substantial environmental contamination and health issues. Ongoing toxic releases and chemical disasters require intensive investment and effort to address – far more than our city and state can do on their own. Just one incident, the Freedom Industries 10,000-gallon toxic spill into the Elk River near Charleston in January 2014 contaminated drinking water for nearly 300,000 people in nine counties, and cost local businesses and the local economy \$19 million a day.¹

Nationally, from 2005 through 2014, industrial facilities self-reported 20,432 chemical spills (an average of over 2,000 spills per year) including major spills of ammonia, benzene, hydrogen sulfide, sulfuric acid, chlorine, hydrogen cyanide, hydrochloric acid, sodium hydroxide, toluene, and sodium hypochlorite into waterways and drinking water supplies. How could EPA possibly continue to support community and facility preparedness, including measures to prevent disasters, if it loses 1 in 4 of its employees and 31% of its total budget?

Although chemical spills are a threat to virtually every American, people of color and low-income communities like those in sections of Charleston, Institute, and other West Virginia communities, often face a greater and more frequent threat of drinking water contamination. Data shows a broad, nationwide trend that hazardous spills are more likely to occur in majority non-white counties. In the Elk River disaster, workers in lower-wage, service industries were more likely to be affected than workers in higher-wage industries.

The Trump Administration's FY 2018 budget proposal would cut EPA's overall budget by almost 1/3, and grants to states by 30% - devastating state budgets and protections for our air, water, and health. The Administration proposes to slash EPA's Environmental Justice program which could eliminate the equivalent of 40 staff positions that work to address health and environmental issues in minority, low-income and tribal communities; and even entirely eliminate the Office of Environmental Justice. These irresponsible budget cuts would put the health and safety of West Virginia residents at risk. If these cuts are adopted, critical programs, staff, support and expertise would be lost at the national, state, and local levels.

Ongoing toxic emissions and chemical disasters aren't the only reasons that Charleston and West Virginia need a robust, fully-funded EPA. EPA's program to clean up the 10 Superfund and 224 Brownfield sites in West Virginia hasn't only been directly beneficial to Charleston, but in fact has developed important benefits for all of West Virginia. However, the Trump administration is threatening to slash these unique cleanup programs, cutting Superfund by a third and the Brownfields program by 20%. This is extremely detrimental and irresponsible to the communities that are already plagued with a multitude of environmental challenges, and need these programs to sustain and protect their citizens and redevelop their economies.

¹ U.S. Chemical Safety Board, "Final Investigation Report: Chemical Spill Contaminates Public Water Supply in Charleston, West Virginia," Report No. 2014-01-I-WV, September 2016, and Marshall University Center for Business and Economic Research, "CBER Calculates Impact from Chemical Spill into Elk River," Feb. 4, 2014.

The Brownfields program helped transform the former Shepherdstown Municipal Dump from an overgrown toxic site contaminated with lead, arsenic, and pesticides into a community library. EPA's \$200,000 investment leveraged almost \$3 million in additional donations and funding.² This is only one of many toxic sites now remediated and redeveloped as a direct result of this critical EPA program.³

Other EPA grant programs provide critical benefits to our health and welfare. For example, one EPA Environmental Justice small grant was awarded to create greater awareness of and reduce lead and mercury poisoning from coal camp houses owned by low-income families in rural West Virginia. The proposed cuts would reduce or eliminate the \$46 million/year in EPA grants the state of West Virginia receives to clean up lead pollution, toxic waste sites, protect lakes, rivers, and more, including the 25% of local and state air quality monitoring funded by EPA.⁴ Up to \$5.5 million in funding to address 600 leaking underground storage tanks, and \$7.2 million to control toxic air pollution across the state, would be lost.⁵

We strongly oppose proposals by the Trump Administration and EPA Administrator Scott Pruitt to abandon much of the EPA's role in protecting public health and the environment by shifting these responsibilities to already underfunded and overburdened state budgets. States cannot possibly absorb these costs and duties, a national approach to key issues makes sense, and the opportunities and benefits of these programs should be available to all Americans, not just those who live in the wealthiest states. EPA's current Environmental Justice Strategy (EJ 2020) specifically recognizes "the need for a more systematic approach to reducing environmental and health disparities for minority, low-income and tribal populations and improve the air, water and land in the nation's most overburdened communities", and includes national goals and activities.⁶

The city of Charleston and West Virginia could not possibly take on these costs and programs. The reduction or elimination of the costs and programs would directly harm the health, environment, and economy of our state. Any attempt to recreate federal programs from scratch on a state-by-state and city-by-city basis would be costly and inefficient, and would never be attempted in most places, resulting in the loss of important cost-effective health, environmental, and economic benefits.

EPA's staff, programs, and grants – including its Environmental Justice programs and staff – provide concrete, irreplaceable support to Charleston and the entire state of West Virginia, and bring substantial health and economic benefits that far outweigh the costs. Local governments

² US Environmental Protection Agency, A Successful Transformation: From Wasted Lot to Reading Hot-Spot, at https://www.epa.gov/sites/production/files/2015-11/documents/shepherdstown_success_story.pdf.

³ See <https://www.epa.gov/brownfields/brownfields-success-stories>.

⁴ Environmental Defense Fund (EDF), Proposed Cuts To EPA Budget Threaten Human Health And The Environment in West Virginia, at https://www.edf.org/sites/default/files/WV_EPA_Cuts_Fact_Sheet_5_3_17.pdf.

⁵ EDF, How hobbling the Environmental Protection Agency would threaten West Virginia's health, families, jobs and economy, https://www.edf.org/sites/default/files/content/west_virginia_final2_.pdf.

⁶ U.S. Environmental Protection Agency, EJ 2020 Action Agenda: EPA's Environmental Justice Strategy at <https://www.epa.gov/environmentaljustice/ej-2020-action-agenda-epas-environmental-justice-strategy>, and National EJ Challenges at <https://www.epa.gov/environmentaljustice/ej-2020-national-ej-challenges#existing>.

received an estimated \$29 to \$97 million in additional tax revenue in a single year after cleanup at just 48 Brownfields sites (two to seven times more than EPA's \$12.4 million contribution to those projects).⁷ Maintaining these programs and grants through the federal EPA is logical, financially efficient, and more effective than slashing these budgets, and pushing responsibility onto states.

We urge you to reject all of the Administration's proposed cuts to EPA's FY 2018 budget, and ask you to support robust continued funding for these critical health and environmental programs, including the Environmental Justice program, the Risk Management Plan program and other programs to prevent and address chemical disasters, the Brownfields program, and grants to cities, states, and communities for both special projects and ongoing "categorical" grants to develop and implement environmental programs.

Thank you for your consideration of this request, and for your action in support of the important programs EPA administers for the health and economic prosperity of your constituents.

Sincerely,

Pam Nixon
President
People Concerned About Chemical Safety
PO Box 11034
Charleston, WV 25339

cc: The Honorable Mitch McConnell, Majority Leader, U.S. Senate
The Honorable Charles Schumer, Minority Leader, U.S. Senate
The Honorable Thad Cochran, Chairman, U.S. Senate Appropriations Committee
The Honorable Patrick Leahy, Vice Chairman, U.S. Senate Appropriations Committee
Members of the U.S. Senate Appropriations Committee
Members of the U.S. Senate

⁷ US Environmental Protection Agency, EPA Brownfields Funding Announced for West Virginia, May 31, 2017, at <https://www.epa.gov/newsreleases/epa-brownfields-funding-announced-west-virginia>.