

Thank you for this opportunity to speak on the proposed rule to rollback and eliminate critical protections for my community in Houston, TX that are part of EPA's 2017 Chemical Disaster Rule. I am disappointed that the EPA has chosen to only hold one hearing in Washington, DC making it difficult for voices like those in my community to be heard.

My name is Yvette Arellano. I am here on behalf of the Texas Environmental Advocacy Services (TEJAS). We are a non-profit organization working to educate and mobilize our community in southeast Houston, TX, Manchester and surrounding neighborhoods, which have a high concentration of chemical facilities that EPA is required to regulate effectively under the Risk Management Program. This exposes our communities, which include significant communities of color and low-income families, to more toxic air pollution and disproportionate harm from chemical disasters. As illustrated too well from Hurricane Harvey, too often, we experience a toxic flood on top of the threats we already face from hurricanes and heavy rains. That comes on top of the disparate health and safety impacts we already face around the year, because of EPA's refusal to do its job to protect us from the frequent toxic releases and pollution these facilities send across the fenceline into our communities. At Hartman Park which is right across the street from the Valero Refinery, communities painted a mural reflecting that nearly every day children play in the shadow of these nearby chemical facilities, a far cry from what people at this hearing see out of our window here in Capitol Hill in Washington, D.C.

Communities in Manchester never know which incident requires evacuation or sheltering in place when we hear the sirens go off. People live in constant fear of releases or incidents while their children are playing outside. In hurricane season, it's bad enough that families have to prepare for their lights to go out and ensuring they have enough food and water. No one should have to shelter in place due to a hurricane, as toxic chemicals flood their homes, wondering what to do if the facility down the street will have a catastrophic explosion, chemical release, or fire, as happened in our community and neighboring parts of Texas during Hurricane Harvey. People deserve the right to know the information necessary to make informed decisions for them and their family.

The Chemical Disaster Rule contains important safeguards that would help communities like mine and across the country with common sense provisions – most importantly for our already over-exposed community, we need this in full effect now to require facilities to take action to prevent fires, explosions, and other disasters, including by ensuring they actually look for safer ways to operate before a disaster starts. It also would have increased the availability of basic information we need to know, like chemical safety data sheets and emergency response contacts so communities can try to find ways to protect ourselves if a serious incident happens. Community members should get information from each incident they are exposed to, without delay, and it's essential for facilities to do real incident investigation reports that they cannot ignore in planning to prevent future problems. I want to highlight that the rule finalized in early 2017 came after years of work by EPA and after over 100 groups working with TEJAS called for action starting in 2011, as disasters were happening around the country and people in Washington, D.C. did not seem to be paying attention.¹ It also provided for better coordination through sharing information first-responders need, and ensuring practice notification and exercises happen to prepare without delay. EPA cannot justify repealing all of the prevention or weakening other important requirements and it has refused to face the fact that it is taking away protections meant to save lives and prevent harm especially to communities like ours right across the fenceline from chemical facilities.

These rollbacks don't come without a community cost. As the fires, toxic releases around the country on this Administration's watch, and especially the Arkema explosion in neighboring Crosby, TX after Hurricane Harvey demonstrated, lack of information puts the surrounding community and first responders in jeopardy. First-responders on the scene had to be evacuated and receive medical treatment for inhaling dangerous chemicals from the blast.ⁱⁱ Community members are still dealing with the aftermath of chemical debris which is visible on their lawns and cars. The Valero refinery and other nearby facilities released spikes in benzene and other toxic chemicals but most of these were missed because EPA and states turned off or moved most of the air monitors.ⁱⁱⁱ

I urge this committee to consider the impacts on your neighbors and family without critical protections like those in the Chemical Disaster Rule and ask you to call on President Trump and Administrator Pruitt to drop the hazardous plan that EPA is considering which would revoke life-saving protections for communities across the country. Preventing children and vulnerable communities from chemical disasters, the way EPA originally found was necessary should not be a partisan issue, and we call on Congress and EPA to protect communities, not chemical companies. Communities around the country remain in harm's way and it's especially scary as we drive around Houston with billboards saying *Hurricane season has begun. Be prepared.* But how can we prepare when EPA is refusing to keep basic safeguards in place – safeguards it found were necessary to reduce deaths, injuries, and the need for communities like Manchester to have to shelter in place or evacuate? I urge you to also consider increasing community trust in chemical facility regulatory programs by adding dual languages to information sharing, requiring the implementation of safer technologies in facilities to mitigate a future disaster, and to consider the cumulative impacts of exposures to multiple chemical facility sources. Our communities feel powerless in the event of a chemical disaster and I hope this committee works to restore power and protection to the people of these communities.

ⁱ <https://www.documentcloud.org/documents/332037-blue-green-coalition-letter-to-obama-june-21-2011.html>

ⁱⁱ <https://www.reuters.com/article/us-storm-harvey-arkema-lawsuit/police-and-emts-sue-arkema-over-chemical-plant-fire-after-harvey-idUSKCN1BI2P0>

ⁱⁱⁱ <https://www.houstonchronicle.com/news/houston-texas/houston/article/After-Harvey-a-second-storm-of-air-12795260.php>