

Chair Cathy McMorris Rodgers
March 28, 2023 – Environment Subcommittee
**“Government Response to East Palestine: Ensuring Safety and Transparency
for the Community”**
As prepared for delivery

Thank you, Chairman Johnson, for holding this critical hearing.

There is no better person than you to lead this oversight effort than the People’s representative for the community of East Palestine, Ohio and the surrounding region.

Since the train derailment and chemical spill in early February, you’ve been on the ground...

... alongside those you serve.

You know their concerns.... their worries... and their fears.

Our top priority is their health and safety.

As you have said, Chairman Johnson, it’s not about scoring points or playing political games.

The hardworking people of Ohio need to be able to trust that their community is a safe home to live, raise their families, go to work, and have hope for the future.

Their livelihoods are on the line.

They need to be able to trust the environmental and public health protection government officials who are part of the derailment response...

... and that starts with full transparency of what happened with this derailment and the extent to which air, water, and soil has been contaminated.

That is our goal today —to gain a complete understanding regarding the ongoing federal, state, and local government efforts of this response.

To that end, we will hear from EPA Regional Administrator Shore this morning.

She’s been at the forefront of the federal government’s environmental testing and response.

To help the people who live and work in East Palestine...

... we will be seeking answers from the EPA on why it has taken some of the actions it has...

...what the EPA is doing to speed this cleanup along....

... as well as how this Committee can help the EPA's efforts to ensure people are protected from health or environmental risks.

Of particular concern for our committee is the nexus between disposal of excavated contaminated soil, the pace of the cleanup, and the risks posed from delays of soil removal and proper disposal.

I specifically am troubled and concerned by illegal actions by states to discriminate against the acceptance of waste in facilities built, licensed, and permitted for this exact purpose.

In cases spanning the late 1970s to the early 1990s, the Supreme Court declared unconstitutional state and local laws that discriminate against waste disposal based upon the origin of the waste.

I am glad Administrator Regan reminded states on March 17, 2023, that they cannot put restrictions on proper waste disposal that are different from the rules in their state.

My biggest question concerning his announcement though is: why was this reminder needed in the first place and what took the Agency so long to step in?

I also want to recognize Director Vogel from the Ohio Environmental Protection Agency

We want to learn more about how the state is working and coordinating with Federal EPA on environmental testing and responses to problems under its delegated authorities as well as under state authorities.

Finally, I want to express appreciation for Dr. Vins being here.

As the County's Health Commissioner, he's been leading to address the public health needs and communicate directly with people in the community on the risks faced.

As the government official on this panel who serves in local government... he is closest to the people.

Like Chair Johnson, he knows this community well. He knows the people... and cares deeply for his friends and neighbors.

We value the expertise he brings from the county's health assessment clinics and the private drinking water well sampling activities.

And, we're eager to learn more about what he is observing and what he believes is critically needed for the cleanup.

I want to again emphasize that we are not here to score political points.

We are here to get the facts from the government agencies on the ground in charge of the response to this tragedy.

Any efforts to politicize the train derailment and chemical spill will hurt our ability to help the people of East Palestine.

They must be our number one priority... and they need to hear from the officials charged with responding to this terrible event that has upended their lives.

As Chair Johnson and I have both said, this will not be our last hearing on this.

We also need to hear from Norfolk Southern.... and we will.

Our work will continue for more robust oversight with more hearings in the future.

Again, thank you Chair Johnson, for the strong leadership you are bringing to your district and on this committee.

You have my support as we work to get full transparency and answers on behalf of those you serve.

Thank you.