

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Ranking Member Frank Pallone, Jr.**

***Hearing on “EPA’s RMP Rule: Failures to Protect the American People and American Manufacturing”***

**May 7, 2024**

Today we are examining the Environmental Protection Agency’s rule to protect American first responders, workers, and frontline communities from the harms of devastating chemical accidents. With its Safer Communities by Chemical Accident Prevention Rule, the Biden EPA is taking action to ensure high-risk chemical facilities are prepared to prevent disasters and mitigate the harm when accidents do occur.

Nearly 180 million Americans live, work, and go to school in harm’s way of a worst-case scenario chemical disaster from these facilities, including one in every three schoolchildren. Americans should not have to live in fear of a chemical explosion devastating their community, but recent examples show that we have to be prepared. Just two years ago, a refinery in Oregon, Ohio had an accidental release of flammable chemicals that started a fire – killing two workers. A fire and explosion at a chemical manufacturing facility in Crosby, Texas in 2019 caused one fatality and injured 28 other workers. Anyone within one mile of the facility was ordered to shelter in place.

So, these protections are necessary and long overdue . In fact, many of the requirements of the rule are already considered industry best practices, like assessing safer technology alternatives and preparing for natural disasters.

The Safer Communities Rule would provide more information to communities, first responders, and workers to ensure they can adequately plan for a chemical incident. For far too long, communities have been forced to jump through bureaucratic hoops to get basic information about the critical facilities in their own backyards. With this new rule, they will now have access to that basic information on EPA’s website, ensuring they can plan and make safety decisions that best suit their household. This structure simultaneously protects the security of the facility while giving communities enough information to make the best decisions in moments of crisis.

The rule also empowers workers at facilities to act to protect the safety of themselves, the facilities, and the surrounding communities. This is important – it’s a recognition by EPA that workers are the first line of defense when an incident occurs. The rule gives workers the power to issue a stop work order, and it gives them a seat at the table as processes are developed . As we will hear today from a 20-year veteran of a Risk Management Program (RMP) facility, United Steelworkers are some of the most knowledgeable folks at a facility and can be a critical resource for protecting overall safety.

May 6, 2024

Page 2

Finally, EPA's strengthened RMP protections come as climate change and extreme weather worsen and present new dangers for chemical facilities and the people who work and live near them. This rule finally requires facilities to prepare for these new risks and factor the climate crisis into their safety plans.

The requirements of the Safer Communities Rule have actually not even gone into effect, and yet Committee Republicans are already holding a hearing to attack it. This is unfortunate, but not unexpected from this Republican majority, which repeatedly puts polluters over people.

I expect today we will hear that we simply can't have safety at and around high-risk chemical facilities without jeopardizing jobs and economic growth. That's just a false narrative, and I reject it. The history of environmental protections is proof that strong safeguards and economic growth go hand in hand. EPA has shown that with targeted investments. Agency actions routinely spur greater innovation, which grows our economy, strengthens the middle class, and makes us more competitive while also protecting public health and safety. This should be no different. Our chemical facilities should be safe, climate resilient, and innovative to make sure they are prepared to tackle the challenges of our growing economy for many years to come.

I am dismayed, but not surprised, that Republicans want to let polluters off the hook for requirements to make chemical facilities safer. Their unfounded arguments against EPA's strengthened chemical disaster rule endangers the health and safety of workers, surrounding communities, and the first responders that unfortunately must rush into a facility when an incident occurs.

EPA took a measured and thoughtful approach on this rule, and I look forward to working with them as it is implemented.

Thank you and I yield back.