

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Subcommittee on Environment, Manufacturing, and Critical Materials Ranking Member**  
**Paul D. Tonko**

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

**May 7, 2024**

Thank you, Mr. Chair.

I appreciate that the 12,000 facilities covered by EPA’s Risk Management Program make considerable contributions to our national economy as well as the local economies of the communities that host these sites. But I also know that millions of Americans work at and live near these facilities, and they deserve to be able to go to work and live their lives with an adequate expectation of safety. That is why EPA’s program is so important. We know that chemical fires, explosions, and releases can have serious consequences.

Since its enactment in 1990, EPA’s Risk Management Program has required chemical facilities to implement hazard assessments, prevention programs, and emergency response plans. And the program has been successful. There has been a decline in incidents. But we should not forget that the rare events that still occur can have major impacts.

We were reminded of this just over a year ago in former Chairman Johnson’s district after the East Palestine train derailment. And while that event certainly was not covered by EPA’s Risk Management Program, it is a stark reminder that chemical accidents can be incredibly dangerous and destructive.

That is why we need to remain vigilant and remember the important role EPA plays safeguarding the lives, health, and safety of the people working in, living near, and responding to incidents at our nation’s chemical facilities. In March of this year, EPA finalized a long overdue rule to strengthen the program’s requirements.

The Safer Communities by Chemical Accident Prevention rule makes several important improvements to the program, and I am proud to support it. It requires assessments of threats posed by natural hazards, such as floods, hurricanes, and wildfires, which can result in damage to a facility and loss of power.

As we saw during the aftermath of Hurricane Harvey in Texas, extreme weather can pose a serious threat, and when our understanding of new and emerging threats evolves, it makes perfect sense to update our practices in response.

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We have no problem doing this for cybersecurity. Why should natural threats be any different? Greater consideration for our changing climate and natural hazards will result in more accurate risk assessments, making facilities more resilient and providing greater protection to workers and surrounding communities.

The new rule also enhances coordination with first responders, allows for greater public information sharing, and requires the assessment and adoption of safer technologies at certain high-risk facilities. This program will continue to ensure that workers receive proper training and critical information is provided to the first responders responsible for responding to an emergency.

I know today we will hear from opponents of the rule, who may suggest that EPA and the rule's supporters are somehow out to get chemical companies and oil refineries. I believe the exact opposite is true.

The success of these businesses depends on them having a social license to operate, which means, first and foremost, they are good employers with safe working conditions, and they are good neighbors to the people that live nearby. When companies begin to cut corners and cease to take the risks posed by their operations seriously, that is when catastrophes can happen.

EPA plays a critical role in preventing these catastrophes before they occur, and ensuring people are prepared for the worst-case scenario. Luckily, today we will hear from a witness who has firsthand experience being trained to work at an RMP facility.

Mr. Savage, thank you for being here on behalf of the thousands of United Steelworker members that make many of these facilities operate efficiently and safely. I look forward to hearing from someone tasked with representing the people that will benefit most from the protections provided in EPA's new rule.

Thank you, Mr. Chairman. I yield back.