Dear Colleague:

This fall, Hurricanes Florence and Michael devastated the Southeast and Gulf Coast. Because of Hurricane Florence, at least 40 lives were lost in North and South Carolina, and economic damages from the storm are estimated to be between $38 billion and $50 billion dollars; the effects of Hurricane Michael have yet to be fully determined. Some of the loss and devastation of these foreseeable natural disasters could have been avoided, if not for the unsatisfactory preparation and response of the United States Environmental Protection Agency (EPA).

Unfortunately, the EPA’s response to Hurricanes Florence and Michael is not an anomaly. We have yet to come across any information that would suggest that the EPA learned from its experiences during Hurricanes Harvey, Irma, and Maria and applied those lessons to its preparation and response to Hurricanes Florence and Michael.

We know that the frequency of natural disasters will only increase in the coming years, and with this heightened risk should also come greater vigilance, preparation, and accountability. We are especially mindful of the increased risk to lower-income communities and communities of color that are more likely to be located in low-lying, flood-prone neighborhoods that host industrial facilities and other potential environmental hazards, which can in turn become serious public health threats during catastrophic natural disasters.

For these reasons, we urge you to join the co-chairs of the United for Climate and Environmental Justice Task Force in sending the following letter to the EPA requesting an update on the agency’s policies and preparedness prior to Hurricanes Florence and Michael, as well as its planning and preparation ahead of future natural disasters and storm seasons.

If you have any questions or to sign on, please contact Danielle Fulfs (Jayapal) at Danielle.Fulfs@mail.house.gov, Corey Solow (McEachin) at Corey.Solow@mail.house.gov or Mike Stoever (Barragán) at Mike.Stoever@mail.house.gov.

Sincerely,

October xx, 2018

The Honorable Andrew Wheeler

Acting Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, N.W.

Washington, D.C. 20460

Dear Acting Administrator Wheeler:

With much of the Southeast and Gulf Coast still enduring the devastation of Hurricanes Florence and Michael, we request an update on the Environmental Protection Agency’s (EPA) capacity and specific efforts to respond to heightened and foreseeable environmental and public health risks that natural disasters pose to lower-income communities and communities of color. We also request information about how EPA plans to incorporate lessons learned and other changes to your planning, protocols, and staffing ahead of the 2019 storm season.

As you know, lower-income communities[[1]](#endnote-1) and communities of color are more likely to be located in low-lying flood-prone neighborhoods that host industrial facilities and other potential environmental hazards, which can in turn become serious public health threats during catastrophic natural disasters.[[2]](#endnote-2) We also are deeply concerned about the impacts that proposed budget cuts to key EPA disaster response functions would have, and the eight percent reduction in EPA staff over the last 18 months has left these already-vulnerable communities with even fewer defenses upon which they can rely.[[3]](#endnote-3)

After witnessing 2017’s catastrophic hurricane season and the EPA’s inadequate response to Hurricanes Harvey, Irma, and Maria, we believe that there is a legitimate basis upon which to question the EPA’s ability to protect environmentally vulnerable communities in the aftermath of Florence and Michael, as well as in future storms. For example, EPA was slow to respond after a Harvey-damaged refinery released the cancer-causing chemical benzene in a southeast Houston neighborhood, putting thousands of residents in harm’s way.[[4]](#endnote-4) It also took one month after Harvey for EPA to confirm a leak at a Superfund site along the San Jacinto River, near Houston.[[5]](#endnote-5) The agency previously claimed that the storm had not ruptured an armored cap that was supposed to contain wastes from a paper mill at this location, wastes that included dioxin, one of the most powerful known human carcinogens.

We have yet to come across any information that would suggest that the EPA has learned from its experiences during Hurricanes Harvey, Irma, and Maria and applied that knowledge to its preparation and response to Florence and Michael. To that end, we would like answers to the following questions that will give us insight into the EPA’s preparation for Florence and Michael, as well as for future natural disasters:

**PREPARATION**

* What steps did and will the EPA take to inform the public about potential health risks during and after the storms, including dangers to sites where dangerous chemicals are used and/or stored? Was this information made available in multiple languages, and will it be in the future?
* What steps did the agency take, and what steps is the agency taking now, to prevent breaches of toxic waste sites containing oil, coal ash, and other potential hazards that are likely to flood and contaminate impacted areas?
* During Hurricane Harvey, at least 13 Superfund sites were impacted by flooding, according to reports from the EPA. In light of this, what preparedness measures did the EPA implement ahead of Hurricanes Florence and Michael, and what plans does the agency have to implement these new measures ahead of future extreme weather events?[[6]](#endnote-6)
* What other high-risk sites did you or have you identified that were in the paths of Florence and Michael, and what has and is the EPA doing to prevent public and property exposure?
* Did the EPA help municipalities prepare for possible overflows from sanitary sewers, hog farms, and other potential hazards in low-lying communities? If so, how? Were municipal officials in these communities given access to EPA emergency response personnel? Did the EPA incentivize preventative measures that could help mitigate these overflows and will it in the future?
* In light of the PFOA/PFAS health advisory of 2016, Region 4 has been made aware of potential sites that could be at risk for contamination. What did Region 4 do to notify and/or prepare these locations for potential damage due to Hurricanes Florence and Michael? What is the region's sampling and testing schedule for these locations?

**AFTERMATH**

* What staff did you allocate to assess the initial damage caused by Florence and Michael and to prioritize the EPA’s response to the greatest threats, particularly for Region 4’s lower-income communities and communities of color? How long did it take for these additional personnel to be on the ground responding to major threats, such as coal ash and animal waste contamination?
* Were these staffers in place and able to access relevant areas under disaster conditions, and to what extent do they remain in place? Please specify the numbers and placement of your on-scene coordinators, remedial project managers, water quality analysts, air quality analysts, environmental engineers, public information officers, technical assistance contractors, and any other scientists or analysts whose work is related to Florence and Michael.
* Did and do your available staff have the required knowledge of all relevant risks and necessary mitigation strategies, including technical support and clean-up services for air, water and soil contamination?
* What policies and staffing have you and will you implement and provide to detect and deal with contamination that may not yet be apparent?
* What public health information has and will the EPA provide the storm survivors? How has and how will it communicate with people who lack electrical power? Has and will this outreach be available in different languages?
* What equipment have and will you mobilize (e.g., boats, mobile labs, airplanes) to monitor air, water and soil pollutants?
* Please outline how the EPA’s actions and plans will be adjusted and improved upon ahead of future natural disasters.

We look forward to receiving your response by the end of this calendar year.

Sincerely,

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PRAMILA JAYAPAL A. DONALD McEACHIN

 Member of Congress Member of Congress

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NANETTE DIAZ BARRAGÁN

Member of Congress

1. https://www.brookings.edu/blog/social-mobility-memos/2017/09/18/hurricanes-hit-the-poor-the-hardest/ [↑](#endnote-ref-1)
2. https://www.opressrc.org/content/disaster-making-addressing-vulnerability-low-income-communities-extreme-weather [↑](#endnote-ref-2)
3. https://thehill.com/policy/energy-environment/405736-epa-lost-more-than-1500-workers-in-first-18-months-of-trump [↑](#endnote-ref-3)
4. https://www.houstonchronicle.com/business/article/Private-air-quality-monitoring-detects-high-12203487.php [↑](#endnote-ref-4)
5. https://www.houstonchronicle.com/news/houston-texas/article/EPA-finds-damage-at-Superfund-site-from-Hurricane-12239664.php [↑](#endnote-ref-5)
6. https://www.pbs.org/newshour/nation/health-concerns-swirl-in-texas-months-after-floods-from-harvey-spread-toxic-waste [↑](#endnote-ref-6)