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August 29, 2005

The Honorable Stephen L. Johnson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Johnson:

According to an article in the *Detroit Free Press* on Friday, August 26, 2005, the Environmental Protection Agency (EPA) is in possession of data concerning the fallout from the August 9, 2005, explosion at EQ Resource Recovery in Romulus, Michigan. The newspaper has obtained a report that indicates that lead, arsenic, and cadmium were among 37 potentially hazardous compounds found.

While there can be a debate over whether these chemicals pose a health hazard, there should be no debate over whether this information should be made public. The people of Romulus deserve to know all of the facts surrounding this explosion and its aftermath. These residents are entitled to review these facts and have their own experts evaluate their significance. In the wake of statements made by EPA after the September 11 attacks concerning the health effects at ground zero, it should not be surprising that residents want all of the facts, and not just the interpretation of facts by EPA. Moreover, EPA's apparent reluctance to disclose this information raises broader policy concerns of national importance.

I wrote to you concerning this explosion on August 15. I asked a number of questions and requested a list of the hazardous substances that may have been released as a result of the explosion and fire. I have not received your response, but it is apparent that you are in possession of the information I requested.

I renew my request of August 15 for information concerning this explosion. In addition, please provide me immediately with all documents relating to the explosion, including any reports or studies regarding findings about the presence of chemicals found in the area.

If you have any questions, please contact me, or have your staff contact Dick Frandsen at the Committee on Energy and Commerce at (202) 225-3641 or Katie Murtha in my Congressional District office at (202) 225-4071.

Sincerely,

JOHN D. DINGELL
RANKING MEMBER

Attachment

cc: The Honorable Joe Barton, Chairman
Committee on Energy and Commerce

JOHN D. DINGELL
15TH DISTRICT, MICHIGAN

RANKING MEMBER
COMMITTEE ON
ENERGY AND COMMERCE

CO-CHAIR
HOUSE GREAT LAKES
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MIGRATORY BIRD
CONSERVATION COMMISSION

Congress of the United States
House of Representatives
Washington, DC 20515–2215

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5 SOUTH WASHINGTON STREET
YPSILANTI, MI 48197
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August 15, 2005

The Honorable Stephan L. Johnson
Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

The Honorable Michael Chertoff
Secretary
Department of Homeland Security
Nebraska Avenue Center, NW
Washington, DC 20528

The Honorable Jon Snare
Acting Assistant Secretary
Occupational Safety and Health Administration
200 Constitution Avenue, NW
Washington, DC 20210

Gentlemen:

As you know, on Tuesday August 9 there was a devastating explosion at EQ Resource Recovery, Inc. in Romulus, Michigan, which is located in the 15th Congressional District. More than 1,000 residents of Romulus and Wayne were evacuated from their homes and shifts had to be canceled at two nearby auto plants. While we are blessed that no deaths or serious injuries occurred as a result of the explosion, the impact of this incident on the host communities, as well as its implications for chemical safety and security, cannot be underestimated.

Since your agencies share jurisdiction for the investigation of this event, I write to request a comprehensive federal investigation into this disaster and its causes and also to urge the federal government to continue to monitor closely the aftermath of this incident and do everything in its power to assist the affected communities and individuals. The Environmental Protection Agency (EPA) has thus far acquitted itself well in its response to the incident, and I am particularly grateful for Administrator Johnson's responsiveness to my request on behalf of the affected local governments and their citizens, to expedite environmental testing in order to facilitate the safe return of people to their homes and workplaces. I am hopeful this will continue and emulated by other agencies involved with this matter, and that all relevant agencies will work together on the comprehensive final report.

In conducting any investigation into this matter, I respectfully request that you provide answers to the following questions to the extent they are applicable to your respective jurisdictions:

1. What specific chemicals does the EQ Resource Recovery, Inc. handle? What risks do these chemicals pose to the surrounding communities?

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THIS STATIONERY PRINTED ON PAPER MADE OF RECYCLED FIBERS

2. Given the shear magnitude of the explosion and the toxic chemicals stored at this facility, it is perfectly reasonable to expect that residents will be concerned about the health effects of this event. Who will monitor and track health complaints and concerns and for how long?

3. Please identify the hazardous substances or hazardous wastes that were released into the environment as a result of the explosion and fire at the site. Was there a runoff of chemicals from the site into the sewer system? Did the fire and explosion at the site result in contamination that has or may affect the local drinking water supplies? If so, please describe the circumstances.

4. Are there any liquid pools of toxic substances left at the site? If so, please identify the hazardous substances or wastes involved. Does the EPA intend to conduct an immediate removal action at the site?

5. Was EQ Resource Recovery, Inc. required to file a risk management plan and emergency response plan? If so, please forward those plans to me. If not, why?

6. Has EQ Resource Recovery, Inc. been in compliance with all workplace safety standards? If not, please describe all notices of violation and any penalties assessed.

7. Has EQ Resource Recovery, Inc. been in compliance with all applicable environmental standards? If not, please describe all notices of violations and all penalties assessed.

8. There has been a need to improve security and safety at the nation's chemical plants for years. While it does not appear that this incident is the result of terrorist activity, it certainly does highlight the need for a comprehensive assessment of security and safety preparedness at chemical facilities across the Nation. Both the EPA and Department of Homeland Security have conducted analyses that show that millions of Americans would be at risk should there be terrorist or other intentional attacks at chemical facilities, including certain facilities that may endanger a million or more people. Despite my repeated requests and those of other Members of Congress, the federal government has made almost no progress toward a comprehensive program for securing chemical facilities across the nation. What steps will the federal government take to address the vulnerability of chemical facilities to terrorist attacks in the aftermath of this explosion?

9. What federal emergency or other assistance is available to small business owners and residents who lost income or were otherwise harmed as a result of the explosion and related evacuation?

Thank you again for your cooperation. I look forward to your timely response in this matter. Should you have any questions, please feel free to call me or have your staff contact Katie Murtha at (202) 225-4071.

With every good wish,

Sincerely yours,

John D. Dingell
Member of Congress