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## Chemical Safety Should NOT be “Optional”

November 17, 2003

President George W. Bush  
The White House  
Washington, D.C. 20500

Dear President Bush:

With more than two years passing since the terrorist attacks of September 11<sup>th</sup>, strong regulatory action to prevent attacks at the nation’s most dangerous chemical facilities is long overdue. Voluntary initiatives proposed by industry are not acceptable. To date, your administration has done almost nothing to protect the nation from terrorists who could turn U.S. chemical plants into weapons of mass destruction (WMD). While security has been shown to be ineffective at virtually all facilities, improved security alone will not protect us. Prevention is clearly the only answer and it is already working at some facilities.

All of the experts agree on the inherent vulnerability of this industry and the magnitude of the risks we face, including the Department of Justice, U.S. Army Surgeon General, RAND Corporation, Brookings Institute, General Accounting Office (GAO), Congressional Research Service, Environmental Protection Agency (EPA), Naval Research Laboratory, Argonne National Laboratory and other experts on terrorism.

According to the worst-case scenarios submitted to the EPA by U.S. chemical firms, more than 100 facilities each threaten a million or more people in the most populous cities in the nation. Following a meeting with your staff in February, Greenpeace received a request from the White House for a copy of this facility list. **After analyzing hundreds of industry reports at many EPA offices, we have identified 112 facilities that place a million or more people at risk in 25 states.** Although, the EPA should have provided you with this list long ago, we are attaching a copy. As you will see, the top twenty facilities threaten between 2.8 million and 12 million people each.

In addition to failing to promulgate any new regulations, guidance or enact new legislation, your administration has failed to outline a policy to prohibit the widespread shipment of the most lethal chemicals through highly populated cities. In Washington, D.C., for example, 90-ton rail cars routinely pass within four blocks of the U.S. Capitol.

On October 6<sup>th</sup>, Dr. Jay Boris, a chief scientist at the U.S Naval Research Laboratory, demonstrated the Navy’s latest computer models to Washington, D.C.’s City Council explaining that “terrorist attacks in an urban environment can put 100,000 people or more at risk in a 15 to 30 minute time span...people can die at the rate of 100 per second.”

In June, FBI specialist on WMDs, Troy Morgan, in a speech at a chemical industry conference warned, *“You’ve heard about sarin and other chemical weapons in the news. But it’s far easier to attack a rail car full of toxic industrial chemicals than it is to compromise the security of a military base and obtain these materials.”*

Fortunately, virtually all of the ultra-hazardous chemicals involved, such as chlorine, ammonia, and hydrogen fluoride, have safer substitutes. In fact, fearing such a terrorist attack, the sewage treatment plant in Washington, D.C. halted its use of chlorine and switched to safer chemicals just eight weeks after the September 11<sup>th</sup> attacks. In other words, we can neutralize this threat by eliminating the unnecessary use of highly toxic substances, beginning with those that threaten the largest numbers of people first.

Over the past two years, Greenpeace has repeatedly urged your administration to take action. We have urged action by the EPA, the Department of Transportation, the Department of Homeland Security and even the Secret Service. There are at least three steps your administration can take immediately that will put this country on the road to addressing the inherent dangers posed by chemical plants:

- **Use your authority under the Clean Air Act's "general duty clause" (section 112 r) to require chemical plants to prevent disasters. This should include the immediate issuance of "guidance" by the EPA, followed by enforceable regulations to encourage the use of plant design changes, safer technologies and/or buffers zones if necessary to prevent Bhopal magnitude catastrophes.**
- **Support the enactment of S. 157, which would strengthen and ensure the permanence of strong regulations under Clean Air Act at the highest risk facilities and require companies to show proof of any claim that they cannot afford to prevent disasters by using safer technologies.**
- **Have the Department of Transportation issue guidance and promulgate regulations to prohibit the shipment of large quantities of hazardous substances, especially, those referred to as "toxic by inhalation" (TIH). According to the Argonne National Laboratory, 13 of the 150 most often shipped hazardous substances are TIH. In October an alleged al-Qaeda scout was sentenced to 20 years in prison in part because he was assessing possible train derailments between Washington, D.C. and New York.**

No pending legislation or regulation addresses the looming hazards posed by these shipments. Attached is a map showing a vulnerability zone created four blocks from the U.S. Capitol on the CSX freight line. This zone includes the U.S. Capitol and the White House as well the homes of 2.4 million people.

Given the availability of safer alternatives, **chemical safety should NOT be optional.** No preventable risk is an acceptable risk.

Sincerely,

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