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**VIA FAX**

September 3, 2003

Mr. W. Ralph Basham, Director  
United States Secret Service  
950 H Street, NW  
Washington, D.C. 20223

Dear Mr. Basham;

We are formally requesting immediate action by the Secret Service to address a near and present danger to the President, Vice President, Speaker of the House and all other national leaders living and working in Washington, D.C. As you may know, currently there is no prohibition against the shipment of ultra-toxic chemicals through the District of Columbia. Large quantities of these chemicals are routinely shipped by rail and truck within four blocks of the U.S. Capitol building. While to a terrorist, these shipments are weapons of mass destruction (WMDs), to us they pose a completely unnecessary and preventable risk.

According to chemical industry and U.S. Environmental Protection Agency (EPA) scenarios of "worst-case accident," an attack or accident involving just one 90 ton rail car of chlorine (see attached map), could endanger people within a 14 mile radius. A catastrophic leak from one rail car passing the U.S. Capitol could kill or injure people in the Congress, the White House and any of 2.4 million local residents within 14 miles. In the event of a terrorist attack of the magnitude of September 11<sup>th</sup>, multiple rail cars or tanker trucks could be targeted making the impact even worse.

Since September 11<sup>th</sup>, the possibility of turning vulnerable railroad tank cars into WMDs has been the subject of much concern but only temporary action. Immediately following September 11<sup>th</sup> the railroad industry instituted a short-term moratorium on shipping highly toxic chemicals.

However, the May 1<sup>st</sup> guilty plea of an alleged al Qaeda "scout," who is accused of assessing the feasibility of derailing trains between Washington, D.C. and New York City, moves this threat far beyond hypothetical. Recent train derailments, including one near Washington, D.C. (June 12<sup>th</sup>) and a runaway train in Los Angeles (June 20<sup>th</sup>) are a constant reminder of their vulnerability and risk.

An FBI specialist on WMDs recently addressed a chemical industry conference on homeland security (June 20<sup>th</sup>) warning, *"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."*

Chemicals such as chlorine are known to the Department of Transportation (DOT) as “toxic by inhalation” (TIH). Chlorine was the first chemical weapon used in World War I, killing thousands who died from pulmonary edema, (drowning in their lung fluid). According to the Argonne National Laboratory, there are over 100,000 rail shipments of chlorine in the U.S. every year.

Of the 150 most heavily shipped chemicals, Argonne identified only 13 TIH chemicals (see attached list) among them. While safer alternatives exist for chlorine and virtually all other TIH chemicals, the most immediate short-term solution is to permanently re-route these shipments around the Washington, D.C. metropolitan area.

The rapid substitution of chlorine with safer chemicals at the Washington, D.C. sewage treatment plant at Blue Plains occurred within eight weeks following the September 11<sup>th</sup> attacks, eliminated the region’s worst TIH risk at a stationary facility. Blue Plains had as many as seven chlorine tank cars stored on site at one time. Today none of the TIH chemicals shipped through D.C. are destined for use here. The Capitol is simply the shortest, cheapest route to ship them along the East Coast.

As the Secret Service has successfully sought street closings, such as the permanent closing of Pennsylvania Avenue, for the protection of the President, we urge you to immediately seek a complete and permanent prohibition on the shipment of ultra-toxic TIH chemicals through the District of Columbia.

In comments to the DOT on July 3, 2002 the chemical industry trade association, the Chlorine Institute, opposed new regulations proposed by the DOT. In their comments they instead proposed a voluntary industry program admitting:

*“it is clear beyond doubt that no plan, no matter how well-conceived and well implemented, can ‘assure’ that terrorists will be prevented from carrying out their acts of terror.”*

The most common “worst case” chemical accident scenario submitted to the EPA by chemical companies is a catastrophe involving chemicals, such as chlorine, released from 90 railroad tank cars. According to the EPA over 100 U.S. facilities have reported accident scenarios that put more than a million workers and local residents at risk.

Before September 11<sup>th</sup>, the Baltimore train tunnel fire July 18-23, 2001 was thought to be a wake-up call to the nation. In an August 10, 2001 letter to the DOT, Greenpeace then called for a halt to the shipment of hazardous materials through highly populated areas. The transport of hazardous materials by truck through either of Baltimore’s two highway tunnels is punishable by up to a year in jail.

A December, 2000 Argonne Laboratory warned the DOT:

*“...the failure to identify and evaluate opportunities to reduce the risks from these types of relatively rare accidents could ultimately lead to thousands of fatalities, injuries, and evacuations.”*

Furthermore, the ubiquitous nature of harmless graffiti art on railroad tank cars, trucks, walls and bridges are visible proof of the vulnerability of this sector and the impossibility of guarding every mile of track and highway.

By prohibiting the shipment of these materials through Washington, D.C. we will not only reduce a near and present danger, we will have eliminated a catastrophic threat. Such a ban will also have the added benefit of preventing equally disastrous accidents.

On August 7<sup>th</sup>, Washington residents were reminded of this when a tank car on a CSX train leaked just six gallons of a toxic chemical and tied up Hill traffic for hours, just blocks from the Capitol. We were lucky. The worst industrial accident in history, at Union Carbide's plant in Bhopal, India, left 8,000 dead when methyl isocyanate leaked into the air and drifted over the city while people slept.

Just as the EPA has failed to take preventive action at the plant level, Yet, the DOT has failed to take action to prevent disaster on our railroads and highways. In fact, there has been no significant federal action on chemical security since 9/11.

Recent responses to our Freedom of Information Act requests to relevant agencies has shown numerous meetings and extensive access between the petro-chemical industry and the Bush administration, resulting in the abandonment of proposals similar to Senator Corzine's chemical disaster prevention bill (S. 157). Given that the second largest cost to the chemical industry is transportation, the railroad sector is more than well represented in this administration with former CSX CEO, John Snow, as our Secretary of the Treasury.

Surely, precautionary action by an independent Secret Service will be judged more kindly by history than bowing to industry lobbying. As you are well aware, preventing tragedies doesn't get as much attention as responding to them after they have happened but as the director of the D.C. sewage treatment plant commented, it's a lot easier to sleep at night.

Thank you for your prompt attention to this urgent matter. If you have any questions I can be reached at (202) 319-2445.

Sincerely,

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