

United States Senate

WASHINGTON, DC 20510-0803

October 14, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Dear Administrator Wheeler:

First, I thank you for Mr. Brazuaukas' August 27, 2020, response to the letter my Delaware colleague, Rep. Lisa Blunt Rochester and I sent on August 11, 2020. As you know, the letter we sent expressed our concern about EPA's failure to heed its Inspector General's direction that the agency communicate the health risks of ethylene oxide to Delaware residents living in the vicinity of the Croda facility in New Castle, Delaware.

As the letter correctly notes, our Delaware Department of Natural Resources and Environmental Control (DNREC) did have meetings with affected citizens in the Croda vicinity following the release of a substantial amount of ethylene oxide on November 25, 2018 that resulted in the closing of the Delaware Memorial Bridge and a frightened neighboring community. DNREC did an important job helping our citizens understand the nature of the November 2018 accident and steps to remedy and prevent its recurrence.

Now I ask EPA to do its job. The question addressed by the EPA Inspector General, and one I continue to hear from my constituents and their elected representatives, centers on the long-term consequences of living in the vicinity of a facility that produces or uses this hazardous chemical. EPA has that information, and should be obliged to share it with our community pursuant to its mission to ensure that "[a]ll parts of society—communities, individuals, businesses, and state, local and tribal governments—have access to accurate information sufficient to effectively participate in managing human health and environmental risks."

I appreciate some of the difficulties of describing health risks in any event, but I believe that the technical difficulties this task poses to EPA's experts misses a more important point. The people who live near the Croda facility in Delaware are worried. They understand that ethylene oxide is a hazardous chemical; they endured a substantial leak in 2018; and they have little understanding of the impact continuing operation of the facility will have on their health going forward. And we continue to hear from our constituents and our local legislators about this issue.

Likely, EPA does not have answers to all their questions. But, as Mr. Brazuaukas' letter indicates, EPA and its state partners are working hard to find those answers.

Here is where I could use your help. Irrespective of the IG's directives and expectations, would you please ask the appropriate EPA headquarters and perhaps Region III staff to host a meeting that would help my constituents understand what EPA is doing to fill in the blanks in our understanding of the risks associated with operations at the Croda facility? The fact that someone at EPA is aware of the potential risk and is working hard to figure that out is a very important message to a community which, otherwise, is not sure what is going on or whether anyone at the agency is tracking it.

If we wait until you know all you would want to know before meeting with these New Castle residents, the only result will be greater concern, growing fears, and a lessening in confidence that EPA will keep them safe. As public servants, providing comfort is almost as important as guaranteeing health and safety. And, as you search for answers, lending an ear and sharing an assurance that you are working to resolve their fears is the least any of us can do.

Clearly, this is a fraught time as it relates to providing assurances and ensuring public health. I am happy to work with you and your EPA staff at headquarters or Region III to find a way EPA can engage with this community in the near future.

I've taken the opportunity to copy your Region III Administrator, Cosmo Servidio, in hopes that together we can bring the best of our environmental and public health expertise to this community to help them rest easier. I have also copied my good friend and Secretary of the Delaware Department of Natural Resources and Environmental Control (DNREC), Shawn Garvin, so he is aware that I have asked EPA to meet with constituents living near the Croda facility.

Please feel free to reach out to Christophe Tulou of my Environment and Public Works Committee staff at (202) 224-7069 or Christophe_tulou@epw.senate.gov with suggestions on how best to proceed.

Sincerely,


Thomas R. Carper
Ranking Member

cc: Cosmo Servidio, Administrator, EPA Region III

Shawn Garvin, Secretary, Delaware Department of Natural Resources and Environmental Control (DNREC)