

Republicans want chemical accident prevention rule do-over

By Sean Reilly

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As EPA nears the finish line on a major overhaul of chemical accident prevention regulations, a group of House Republicans wants the agency to start over.

The revamp, currently undergoing a final review by the White House regulations office, "could have unintended negative impacts on domestic manufacturing, our national security, and jeopardize American innovation," Rep. August Pfluger (R-Texas) and a dozen other GOP lawmakers said in a [recently released letter](#) to EPA Administrator Michael Regan that urges him to "repropose" the rule.

Their plea comes more than 16 months after the agency published [the proposed changes](#) to its risk management program, which covers almost 12,000 refineries, chemical plants and other facilities and aims to prevent accidental air releases of hazardous chemicals.

Among other provisions, the proposal would require plant operators to provide chemical hazard information to people living within 6 miles; it would also require several dozen oil refineries that use hydrofluoric acid, a highly toxic air pollutant, [to explore whether safer alternatives exist](#).

In the Dec. 21 letter, made public last week, Pfluger and his colleagues voiced objections to both provisions. The first, they wrote, would require businesses "to expose security vulnerabilities and information on hazardous substances that could be used by malicious actors and undermine incident response."

"There is no reasonable public benefit to the increased disclosure, and no data to support that expanding access to specific chemical hazard information would result in improved performance for regulated facilities," they added.

Refineries that use hydrofluoric acid — also known as hydrogen fluoride — to make high-octane gasoline "may not be financially capable" of meeting the proposal's requirements, potentially placing "gasoline capacity at risk" and leading to higher prices, according to the letter.

Other signers include Reps. Mariannette Miller-Meeke (R-Iowa), Greg Pence (R-Ind.) and Dan Crenshaw (R-Texas). Alongside their objections to specific provisions, the lawmakers said the proposal's estimated annual costs have risen from \$75 million to more than \$257 million.

They also wrote that reportable incidents have dropped by more 80 percent since the EPA program began in 1996, "proving that existing regulations and voluntary industry efforts are effective in managing risk."

But environmental and community groups say that industrial mishaps remain dangerously commonplace, particularly in areas home to large numbers of people of color or low-income residents.

The final version of what EPA calls the Safer Communities by Chemical Accident Prevention rule remains under wraps, so it's unclear whether agency employees have made any significant changes to the proposal released in August 2022.

At the time, Regan said in a statement that the planned overhaul would better protect communities and advance environmental justice in areas "disproportionately impacted by these facilities."

Once the White House review is complete, EPA intends to publicly release the final regulations early this year, a spokesperson said recently.