



PRESS RELEASE

**Attorney General Frosh Joins Lawsuit to Protect Workers,
Communities from Deadly Chemical Accidents**
*EPA's Rollback of Chemical Disaster Rule Eliminates Key Safety Measures for
Those Exposed to Explosions, Fires, Poisonous Gas Releases*

BALTIMORE, MD (January 29, 2020) – Maryland Attorney General Brian E. Frosh today joined a coalition of 15 attorneys general and the City of Philadelphia in [filing suit](#) against the Environmental Protection Agency (EPA) for gutting safeguards to prevent and limit harms from dangerous chemical accidents. Specifically, the coalition is challenging the EPA's rollback of Obama-era amendments to its "Risk Management Program" (RMP) regulations, referred to as the Chemical Disaster Rule. This rule made critical improvements to the RMP to better prevent explosions, fires, poisonous gas releases, and other accidents at facilities that store and use toxic chemicals.

"When a business has toxic chemicals onsite, neighbors and emergency responders - police, fire and rescue - ought to know what they are up against. Keeping this information secret endangers lives," said Attorney General Frosh.

In December 2019, the EPA finalized a rule that eliminates critical elements of the Chemical Disaster Rule, removing accident prevention programs designed to protect communities, workers, and first responders. These changes included the elimination of independent audits and "root cause" analyses following accidents, as well as analyses of safer technology and alternatives that could prevent future accidents. The final rule also cuts back on training requirements for employees, managers, and first responders and eliminates requirements that facilities share information concerning the hazardous chemicals used onsite with first responders and nearby communities.

In August 2018, a coalition of 12 attorneys general submitted [extensive comments](#) on the EPA's proposed rollback of the Chemical Disaster Rule, arguing that the proposal, if adopted, would be "arbitrary and capricious" and "inconsistent with the Clean Air Act." The coalition urged EPA to heed the warning of the U.S. Court of Appeals for the District of Columbia that the Agency's single-minded focus on industry costs of complying with the Rule made a "mockery" out of the Clean Air Act.

Accidents at toxic chemical plants pose a serious public danger. In fact, since EPA proposed rolling back the RMP program, accidents at chemical facilities have occurred across the country, causing deaths, injuries, and evacuations. For example, in November 2019, massive explosions

at the TPC Group chemical plant in Port Neches, Texas released toxic plumes of butadiene and other carcinogens into the air, injured at least eight people, and required the evacuation of over 60,000 residents from the surrounding communities. According to the EPA, in the last 10 years, there have been over 1,500 accidents at chemical plants, including 15 in Maryland. Nationally, these accidents caused 58 deaths and 17,099 injuries, over \$2 billion in property damage, and the emergency evacuation or forced shelter-in-place of almost 500,000 individuals. High-profile incidents included those at a BP Refinery in Texas in 2005 (15 people killed, 170 injured), a Chevron Refinery in California in 2012 (19 workers endangered, 15,000 people sought medical treatment), a Tesoro Refinery in Washington in 2010 (seven people killed), a West Fertilizer Facility in Texas in 2013 (15 people killed), and a Williams Olefins Plant in Louisiana in 2013 (two workers killed, many more injured).

The coalition's petition for review was filed in the United States Court of Appeals for the District of Columbia. In addition to Maryland, the suit was joined by the attorneys general of Illinois, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Wisconsin, the District of Columbia and the City of Philadelphia.