February 15, 2024

President Joe Biden
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

EPA Administrator Michael Regan
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: Recommendations for East Palestine and nearby communities

Dear President Biden and EPA Administrator Regan:

As you prepare to visit East Palestine this week, we would like to offer recommendations on steps that your administration can and must take to continue to provide critical assistance to the people of East Palestine and nearby communities.

Approximately one year ago, a Norfolk Southern train carrying more than 150 cars, a number of which contained toxic chemicals, derailed in East Palestine, Ohio and numerous cars containing hazardous chemicals and plastics burned. After the initial fire was extinguished, attention was drawn to one of the cars containing vinyl chloride. The incident command decided to burn the contents of five rail cars containing vinyl chloride. That decision we now know, according to the owners of the vinyl chloride, was not necessary. This purposeful release and burn of the known human carcinogen vinyl chloride unleashed a huge black cloud of particulates that enveloped the surrounding neighborhoods and farms in both Ohio and Pennsylvania.

Following the burn, people in East Palestine, Ohio, and nearby border towns in Pennsylvania began reporting adverse health symptoms including headaches, nose bleeds, skin rashes, central nervous symptoms, thyroid problems, and more. These and other adverse health problems continue to plague many of the residents of this rural area.

Scientifically, no one may ever be able to say with certainty all of the chemicals people were exposed to, the concentrations of the chemicals, or how long the exposure lasted. The CDC has stated that people were exposed to a broad mixture of toxic chemicals and confirmed that the combined and cumulative effects are unknown; however, the CDC also attempted to console the community with assurances that their anticipated cancers were treatable.

The people in East Palestine, Ohio, and the surrounding area face very similar uncertainties about their health as were faced by two other American populations: first responders, residents, workers, and others exposed to toxic smoke resulting from the destruction of the World Trade Center towers in New York City, and American soldiers exposed to emissions from burn pit smoke in Iraq and Afghanistan. In both of these situations, the federal government recognized that critical scientific information linking exposures and health outcomes was impossible to assess, missing, or incomplete. To address the needs of the victims/survivors, the federal government decided to use a presumptive approach that exposures were likely to be the cause of the health problems suffered by these people.
By acknowledging the large scientific uncertainties about both exposure and anticipated health outcomes, the government was able to provide health care, treatment, compensation, appeals, and other assistance to people exposed to toxic substances. In and around East Palestine, where people have been exposed to toxic chemicals resulting from the train derailment and subsequent intentional burn, the government should take similar action once again to protect these innocent people exposed to toxic chemicals.

For these reasons, we strongly recommend that the federal government issue a “major disaster declaration” and work with Senators J.D. Vance, Sherrod Brown, Bob Casey, John Fetterman, and members of Congress to do the following:

1. **Provide immediate and long-term healthcare** for the community of East Palestine, in nearby Ohio and Pennsylvania, and other states and communities that have been exposed to the toxic chemical mixture resulting from the derailment, chemical spill, and intentional burn;

2. **Set up a long-term medical monitoring** program to follow these communities and any individuals who were in the area over time for a minimum of 20 years;

3. **Provide all financial resources for relocation** that make it possible for anyone living or who lived in the area who feels they were impacted by hazardous exposure from the train derailment and burn who want to leave the area to do so and move into equivalent housing, and develop a program to replace all household items that may have been contaminated;

4. **Conduct comprehensive indoor air** testing for anyone in the area who feels they have been exposed or have endured latent exposure due to contaminated waterways, especially homes, businesses, and other buildings near Sulphur Run where vapor intrusion may be occurring;

5. **Conduct long-term, robust assessments for hazardous chemicals that may have contaminated the drinking water**, both for municipalities and especially for people who rely on well water in East Palestine and nearby communities and anyone who feels their drinking water may have been impacted by the derailment and subsequent release and burn of chemicals; and

6. **Significantly expand sampling for dioxins and furans** in residential soil, indoor dust, fish, farm animals, wildlife, and other relevant environmental media in East Palestine and nearby communities that may have been impacted.

In addition, we were pleased to see that EPA recently announced that it was beginning a process under the Toxic Substances Control Act (TSCA) to evaluate vinyl chloride. **Such a process should end with a ban on vinyl chloride.**

These recommendations are consistent with the recommendations of many people who live in the area, elected officials, community and environmental groups, and public health experts who have advocated for solutions over the last year. As you prepare to visit East Palestine this week, now is the time for you to adopt and aggressively put these common-sense recommendations into practice.

Thank you for your consideration of this urgent public health and environmental justice matter.

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