

Congress of the United States
Washington, DC 20510

May 11, 2026

The Honorable Lee Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator, Zeldin:

We write to express our strong opposition to the Risk Management Program (RMP) proposed rule: *Common Sense Approach to Chemical Accident Prevention* (EPA-HQ-OLEM-2025-0313) issued February 24, 2026.¹ We write to urge the Environmental Protection Agency (EPA) to fully implement and not weaken any protections included in the 2024 *Safer Communities by Chemical Accident Prevention* rule.² This rule included vital preventive measures to avoid chemical disasters and to keep workers, emergency responders, and fenceline communities safe.

As you know, the RMP, as enacted in Section 112 of the Clean Air Act, was intended as a tool to prevent chemical facility disasters following the deadly 1984 gas disaster in Bhopal, India³—but to date the program has been largely reactive.⁴ During the first Trump administration, the EPA rolled back safety measures, ignoring the statute's core prevention objectives and the demonstrated need for action to prevent chemical disasters. Under the Biden administration, significant data from tragic incidents, recommendations from the U.S. Chemical Safety and Hazard Investigation Board (CSB) and other experts, and public input from workers, communities, states, industry and trade organizations supported a more robust final rule in 2024 that incorporated essential safety improvements. Despite this, we find ourselves with a proposed RMP rule that represents an industry wish list and takes us backwards on health and safety.⁵

The proposal would undo core preventive measures and unnecessarily threaten the lives and health of workers, emergency responders, and fenceline communities, including the one in three children who go to school in a chemical danger zone.⁶ With 177 million Americans living in the worst-case scenario zones of RMP facilities, **it is imperative that EPA fulfills its mission to**

¹ *Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Common Sense Approach to Chemical Accident Prevention*, 91 Fed. Reg. 8970 (February 24, 2026) (“Proposed Rule”).

² *Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Safer Communities by Chemical Prevention*, 87 Fed. Reg. 53571 (August 31, 2022).

³ CSB Safety Message, On 30th Anniversary of Fatal Chemical Release That Killed Thousands in Bhopal India, <https://www.csb.gov/on-30th-anniversary-of-fatal-chemical-release-that-killed-thousands-in-bhopal-india-csb-safety-message-warns-it-could-happen-again/>

⁴ 42 U.S.C. §7412(r).

⁵ Letter from Michael S. Regan, EPA Administrator to Justin A. Savage, Global Co-Leader and Partner, Sidley Austin LLP on RMP Coalition petition (December 26, 2024).

⁶ Tomcik, Patrice, *More Than a Third of U.S. Schoolchildren are at Risk of Chemical Disaster*, Moms Clean Air Force (March 12, 2026) <https://www.momscleanairforce.org/chemical-accident-prevention-rule-rollback/>.

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protect human health and the environment by restoring the 2024 Safer Communities RMP rule.

Recent chemical emergencies and disasters such as the deadly explosions at the Valero refinery in Ardmore, Oklahoma and at Koch foods in Fairfield, Ohio—along with the recent findings of the U.S. Chemical Safety Board—highlight the shortcomings of the proposed rule and demonstrate the risk these rollbacks pose to the workers at RMP facilities and to the communities near them. EPA has the responsibility to prevent chemical disasters “to the greatest extent practicable,” and “to minimize accidental releases” of hazardous chemicals and “minimize the consequences of such releases.”⁷ However, at a time when strong regulations are needed more than ever to save lives and protect communities from preventable toxic chemical exposures and releases that are particularly dangerous for children’s health, EPA’s proposed rule fails to meet the Clean Air Act’s vital chemical release prevention requirements and to fulfill the Congressional mandate to protect health and safety.

From 2004 to 2025, facilities regulated by the RMP program have reported over 3,900 industrial chemical releases, including at least 2,814 that have reported harm to human life, injury, shelter in place or evacuation, or property or environmental damage.⁸ Chemical disasters have caused over \$6.5 billion in damages (over the same time period), affecting families, businesses, and our nation’s economy—and have made homes and neighborhoods less affordable by decreasing neighbors’ property value. The average amount of monetized damages from industrial chemical emergencies was over \$540.2 million per year, without even including many types of harm including health risks, property values, evacuation and shelter-in-place costs, and more.⁹

The 2026 proposed RMP rule rolls back several preventative measures that were finalized in the 2024 Safer Communities rule. Some major changes are below:

- **Eliminates safer technologies assessment and implementation:** The 2024 RMP rule called for some of the most hazardous facilities (oil refineries, chemical manufacturing plants) to conduct a Safer Technology and Alternatives Analysis (STAA). A STAA is important because it identifies opportunities for reducing risk by substituting a safer chemical, volume, or technology in place of a more hazardous one. Under the proposed rule, only a select few RMP facilities with new processes would be required to conduct a STAA. All currently covered facilities would not be required to conduct a STAA and no

⁷ 42 U.S.C. 7412(r)(1), (r)(7).

⁸ 2026-EPA-02057 Non-OCA RMP Database January 2026,” available at the OLEM FOIA reading room link, <https://foiapublicaccessportal.epa.gov/app/ReadingRoom.aspx>, as summarized by Earthjustice (Press Release, Feb. 17, 2026), <https://earthjustice.org/press/2026/health-and-safety-protections-against-chemical-emergencies-eliminated-and-weakened-in-new-trump-epa-proposal>.

⁹ EPA, Regulatory Impact Analysis, 2024, page 11, Exhibit ES3. Summary of Quantified Baseline Damages 2016-2020 (millions, 2022 dollars), <https://www.regulations.gov/document/EPA-HQ-OLEM-2022-0174-0587>.

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facilities would be required to assess the practicability of or implement safer alternatives found in their analysis.

- **Eliminates requirement to assess and plan for power loss as well as for natural hazards such as hurricanes, wildfires, flooding, and earthquakes:** Extreme weather and other natural hazards can cause or worsen accidental releases. One third of all RMP facilities are in known high climate risk areas, and alarmingly, many RMP facilities are not adequately preparing for flooding, hurricanes, wildfires or loss of power in their current risk management plans. In the proposed rule, EPA removes explicit requirements for facilities to evaluate natural hazards and power loss.
- **Eliminates stop work authority and other worker safety protections:** Workers are the first line of defense for community safety against a chemical disaster, and in the 2024 final rule, there were important employee participation requirements to involve workers in hazard identification. These 2024 provisions included 1) stop work authority for the most hazardous facilities, 2) anonymous reporting of hazards and non-compliance, 3) training on workers' rights under the RMP rule, and 4) consulting with workers to identify and address safety hazards. The proposed rule would eliminate these provisions.
- **Eliminates requirement for community response notification systems:** The 2024 final rule required RMP facilities to ensure there is a system in place to alert communities about emergencies and to partner with local responders to ensure notifications were available in the primary language of all nearby communities. The proposed rule removes this requirement and instead has facilities coordinate with local officials to provide necessary information through emergency response notification channels, if they exist.
- **Weakens information availability requirements:** Communities have the right to know what chemical hazards they face from nearby industrial facilities. The proposed rule eliminates provisions that were finalized in the 2024 rule that require facilities to make public when they decline to implement safety recommendations related to natural hazards, power loss, siting, or decline to bring facilities up to current codes, standards, or practices. It also eliminates the requirement to share RMP information in locally-spoken languages. In spring 2025 before the proposed rule was published, EPA [took down the RMP Public Data Tool](#). Instead of weakening information access provisions, EPA should immediately restore the RMP Public Data Tool with all the mapping and full search capability, and ensure the maintenance of this public dataset online.

All communities deserve to live their daily lives free from toxic exposure. No worker, no family, and no child should ever again experience a preventable chemical emergency. Instead of rolling back the 2024 rule, EPA should ensure that chemical facilities do all they can to protect our communities from industrial chemical disasters.

We call on you to fully implement, not undo, the 2024 *Safer Communities by Chemical Accident Prevention* rule and we look forward to working with you to ensure that the communities we

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represent, and those across the country, are protected from the danger of chemical disasters by a truly preventative Risk Management Program.

Sincerely,



Nanette Diaz Barragán
Member of Congress



Lisa Blunt Rochester
United States Senator



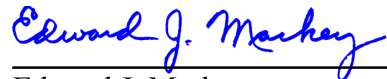
Mark DeSaulnier
Member of Congress



Cory A. Booker
United States Senator



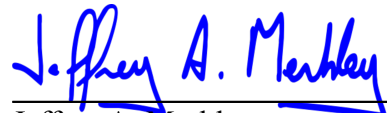
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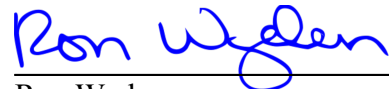
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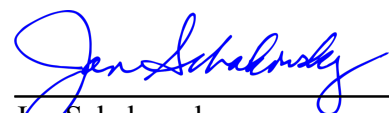
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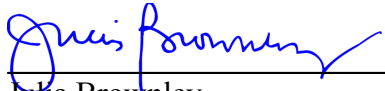
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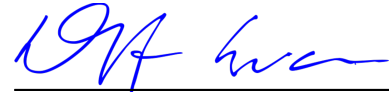
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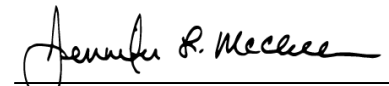
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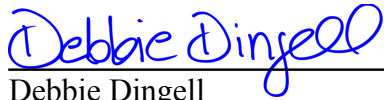
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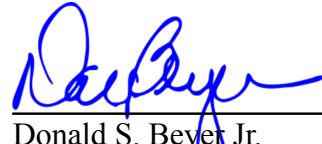
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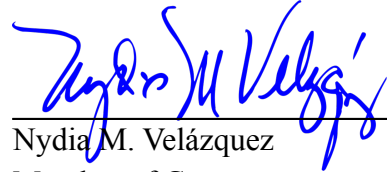
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