

April 24, 2025

Steven Cook  
Deputy Assistant Administrator  
Office of Land and Emergency Management  
U. S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W., 5101T  
Washington, DC 20460

Dear Deputy Assistant Administrator Cook,

The below signed participants of the Coalition to Prevent Chemical Disasters, representing public health, labor, justice, and environmental organizations with members in harm's way of chemical releases, urge you to reinstate the EPA's Risk Management Program (RMP) Public Data Tool and reject calls by chemical industry lobbyists to "[i]mmediately shut down and remove the Risk Management Public Data Tool from EPA's website."<sup>1</sup> We also urge EPA not to undertake a rulemaking undoing protections from chemical disasters that EPA only recently put in place in its 2024 Risk Management Program rule to fulfill its responsibility to protect health and safety.<sup>2</sup> These protections address decades of chemical disasters involving deaths, injuries, and other harm to workers, first-responders, and local communities.

The public data tool, which EPA introduced on March 1, 2024, but recently removed from the agency's website, presented essential information about chemical facilities regulated under the Clean Air Act's RMP requirements because they use, manage, or store extremely hazardous substances. The RMP program requires nearly 12,000 industrial facilities to prevent and prepare for emergencies involving certain hazardous chemicals. Over half of the American population – 177 million – lives in a potential worst-case scenario zone for an industrial chemical catastrophe.<sup>3</sup> One in 10 U.S. children – 4.9 million – go to school within one mile of an RMP facility.<sup>4</sup>

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<sup>1</sup> See Letter from Agricultural Retailers Association et al. to Lee Zeldin, EPA (Jan. 30. 2025), *available at* <https://www.americanchemistry.com/better-policy-regulation/safety-security/facility-safety/resources/acc-rmp-coalition-letter-to-lee-zeldin>.

<sup>2</sup> *Id.* at 2.

<sup>3</sup> See EPA Reg. Impact Analysis at 94 (Dec. 16, 2016) (RIA), <https://www.regulations.gov/document/EPA-HQ-OLEM-2022-0174-0033>; see also Comments of Texas Environmental Justice Advocacy Services at 14 (Oct. 31, 2022), <https://www.regulations.gov/comment/EPA-HQ-OLEM-2022-0174-0460>.

<sup>4</sup> *Living in the Shadow of Danger*, Center for Effective Government, Jan. 16, 2016, <https://www.foreffectivegov.org/shadow-of-danger-release>.

Costly and life-threatening emergency releases of chemicals at RMP facilities are an ongoing problem in areas where millions of Americans live, work, travel, shop, or go to school. For years, a fatal or life-threatening incident has occurred on average every two and a half days.<sup>5</sup> Workers are often hurt first and worst in these incidents, alongside first-responders and community members living nearby. Chemical disasters from 2004-2013 cost a total of \$2.7 billion, about \$274 million per year on average.<sup>6</sup> Over 500,000 people had to shelter in place or evacuate due to over 2,400 harmful chemical incidents that occurred in the years 2004-2020.<sup>7</sup> Access to safety information is a critical part of the solution.

We urge EPA to restore and maintain the valuable RMP data tool on its public website. The public data tool:

- Helps protect people, property, and the environment from industrial emergency chemical releases.
- Communicates life-saving information to emergency responders, employees, businesses, and other members of the public who need to know about chemical hazards.
- Helps to prevent and prepare for emergency spills, fires, and releases.
- Provides a “good neighbor” incentive to covered facilities.
- Provides efficient access to RMP information with no additional reporting burden on chemical facilities, since it is operated by EPA.
- Consists of facility identification, safety, and RMP registration information that is essential for effective chemical hazard communication.

For nearly four decades since Congress passed the Emergency Planning and Community Right to Know Act in 1986, public information about regulated facilities, hazardous substances, and emergency procedures has been a widely accepted building block for community chemical safety. Many companies have routinely posted on their websites Safety Data Sheets that identify safe handling and emergency response precautions for hazardous chemicals. For 25 years, basic program registration information from RMP facilities has been made publicly available under the terms of the Chemical Safety

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<sup>5</sup> EPA RMP Accidents 2004-2020, <https://www.regulations.gov/document/EPA-HQ-OLEM-2022-0174-0065>.

<sup>6</sup> RIA at 87, <https://www.regulations.gov/document/EPA-HQ-OLEM-2022-0174-0033>.

<sup>7</sup> EPA RMP Accidents 2004-2020, <https://www.regulations.gov/document/EPA-HQ-OLEM-2022-0174-0065>.

Information, Site Security and Fuels Regulatory Relief Act,<sup>8</sup> though it has often been difficult for workers and communities to access during that time.

The Freedom of Information Act's (FOIA) "reading room provision" requires EPA to make certain data in which there is significant public interest "available for public inspection in an electronic format."<sup>9</sup> In keeping with these requirements, EPA's public data tool made information accessible for more than a year, due to the significant public interest in the data. By disclosing high-interest data efficiently online, the tool also saved agency staff-time and resources.

Below are vital information elements that workers, responders, businesses, and the public could previously access, in list view or map view, through the RMP data tool:

- RMP facility name
- Facility identification and registration numbers
- Parent company name
- Facility DUNS number
- Facility registration status (active or deregistered)
- Facility geographic location, address, city, county, state, zip code
- Chemical names, types, and CAS numbers
- Chemical safety data sheets (link to NOAA CAMEO chemicals)
- RMP program level (1, 2, or 3)
- Facility industry sector (NAICS)
- Historical data from prior RMP submissions (first time, revisions, corrections, resubmissions)
- Local Emergency Planning Committee
- Facility regulatory status (OSHA PSM, EPCRA 302, CAA Title V)
- Facility accident history (date, time, conditions, source, initiating events, contributing factors, responder notification, on-site and off-site impacts, subsequent safety changes)
- Emergency response plan (yes/no only: community plan, facility plan, public information procedures, response actions, emergency health care information)
- Local emergency agency and contact information.

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<sup>8</sup> EPA's on-line Risk Management Public Data Tool excludes RMP off-site consequences analysis (OCA) information and rankings derived from OCA data. See 42 U.S.C. § 7412(r)(7)(H).

<sup>9</sup> See 5 U.S.C. § 552(a)(2).

Restoring and maintaining online access to this information will save lives and is essential for effective hazard communication. These data points are neither proprietary nor security sensitive – as shown by the determinations of Congress and EPA that the data be made publicly available. The U.S. Chemical Safety and Hazard Investigation Board has also supported public availability of RMP data as “critical to the safety of nearby communities.”<sup>10</sup> The data points are reported by industry to demonstrate compliance with safety standards, and consist of very basic facility identification, safety, and RMP program registration numbers. Removing these elements from EPA’s website would do nothing to improve security.

The most durable and reliable security measures avoid unnecessary chemical targets, e.g., through facility design or implementation of safer technologies and practices. We have long objected to reducing essential safety information while neglecting the most effective security solutions.

Failure to effectively communicate important, regularly updated chemical hazard information endangers employees and contractors, firefighters and other emergency responders, and members of the public. We call on EPA to restore and maintain this essential community safety information on the agency’s website and to retain the life-saving protections of the 2024 rulemaking.

Sincerely,

BlueGreen Alliance  
Center for Environmental Health  
Coming Clean  
Earthjustice  
Environmental Justice and Health Alliance for Chemical Policy Reform  
International Union UAW  
League of Conservation Voters  
NJ Work Environment Council  
Texas Environmental Justice Advocacy Services (T.e.j.a.s.)  
Union of Concerned Scientists  
United Steelworkers International Union  
Chemical safety information consultant Paul Orum

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<sup>10</sup> CSB at 11 (Oct. 26, 2022), <https://www.regulations.gov/comment/EPA-HQ-OLEM-2022-0174-0166>.