

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Chairman Frank Pallone, Jr.

Hearing on “Protecting Communities from Industrial Accidents: Revitalizing the Chemical Safety Board”

September 29, 2021

Today we are conducting oversight of a little known but important federal agency, the Chemical Safety Board (CSB).

Coming from a state with a large number of industrial facilities, I have been involved with the CSB since its inception, helping to create and secure appropriations for the agency back in 1998. Since that time, CSB has conducted vital investigations into industrial chemical accidents. Its mission is to find answers and provide recommendations to prevent future incidents.

For example, in my district, CSB investigated the 2005 Acetylene Service Company Gas Explosion in Perth Amboy which killed three workers. From its findings, CSB made recommendations that addressed the dangers of flammable gas accumulation and how to prevent similar incidents in the future.

Despite its good work, CSB has faced numerous challenges in recent years. This past May, the Committee sent a bipartisan letter to CSB outlining our concerns, including a backlog in investigations, understaffing, and management challenges. These concerns are shared by members on both sides of the aisle, and I am pleased that we are here today to continue this important bipartisan oversight.

One of my biggest concerns is that CSB has been slow to finalize its reports and provide critical safety recommendations in recent years. For instance, CSB has yet to release its investigative report on the 2019 Philadelphia Energy Solutions Refinery Fire and Explosions, which involved a release of hydrofluoric acid, a highly toxic chemical.

Fortunately, because of built-in safety protocols at the plant and the heroic actions of workers, the worst potential outcomes for both the workers and the surrounding Pennsylvania and New Jersey communities were narrowly avoided.

Yet it has been two years now since this incident and CSB still has not released its investigative findings. It is imperative that we understand the root causes of these types of incidents so that we can safeguard workers, protect communities, and prevent future incidents. I look forward to hearing from Chairperson Lemos on her plan to close this and other investigations.

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CSB also plays an important strategic role in preventing future incidents in the face of climate change and extreme weather. Industrial facilities across the country are at increasing risk. You need to look no further than this most recent hurricane to see that.

Earlier this month, Hurricane Ida dumped record rainfall in New Jersey, flooding the Raritan River and devastating communities throughout the state. The Environmental Protection Agency is still assessing the damage at oil sites, chemical facilities, and Superfund sites, including one completely inundated Superfund site that was previously home to a large chemical plant.

Meanwhile, in Louisiana, 138 industrial facilities were in regions that fully or partially lost power due to Hurricane Ida. This is problematic considering that some of these facilities use electricity to contain hazardous materials. We do not yet know the full extent of chemical spills, oil leaks, and toxic air releases in the state.

To its credit, CSB has warned industrial facilities about the safety hazards posed by extreme weather events, particularly hurricanes. For example, CSB highlighted the 2017 Arkema Chemical Plant Fire near Houston, Texas, finding that the company was unprepared for the flooding levels experienced during Hurricane Harvey.

Houston Mayor Sylvester Turner testified before this Subcommittee in March that the Houston region, which is home to countless petrochemical and other industrial facilities, experienced three “500-year” floods in three years. And recent analysis shows that 2,500 chemical sites in the United States lie in moderate- to high-risk flood zones.

There is no question that floods and other extreme weather events are getting worse, and I look forward to hearing how the Chairperson is positioning the agency to address these growing strategic challenges.

In my view, getting the CSB back to functioning at the highest level is the first step. The goal of today’s hearing is to help get CSB back on track, and I hope that we can all come together to revitalize this critical agency.