To: Cleland-Hamnett, Wendy[Cleland-Hamnett.Wendy@epa.gov]
From: Jones, Jim
Sent: Tue 1/14/2014 10:12:44 PM
Subject: FW: E&E News

Ex. 5 - Deliberative

From: Flattery, Priscilla
Sent: Tuesday, January 14, 2014 4:41 PM
To: Jones, Jim; Cleland-Hamnett, Wendy
Cc: Wallace, Ryan; Strauss, Linda
Subject: E&E News

CHEMICALS:

Senate panel to hold 2 hearings next month on W.Va. spill

Jason Plautz, E&E reporter

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Sen. Barbara Boxer, chairwoman of the Senate Environment and Public Works Committee, said today that she will hold a pair of hearings next month on the chemical spill that left 300,000 West Virginia residents without water.

Boxer (D-Calif.) told reporters that the committee would hold two hearings, one in the Water and Wildlife Subcommittee specifically focusing on the water issues and impact of the spill, and the other a full committee hearing looking at general chemical safety issues.

Boxer said the committee will "look at how you can move quickly under existing law" to make sure that hazardous substances are securely stored, especially when they're near drinking water. It's possible that could mean new legislation strengthening chemical safety regulations and oversight.

About 300,000 people around Charleston, W.Va., were left without tap water for days after last week's leak of the coal processing chemical 4-methylcyclohexane methanol (MCHM) into the Elk River. Officials are continuing to gradually lift the "do not use" order on tap water to allow residents to flush out their plumbing systems.

Sen. Joe Manchin (D-W.Va.) is working on legislation that would "hopefully prevent this from happening ever again in any part of the country," including potential standards for chemicals stored near bodies of water and increased oversight. The bill, he said, would be introduced this week.

Manchin said yesterday that he was working with state officials on the bill, as West Virginia is now examining its own regulatory solutions (*E&E Daily*, Jan. 14).

Boxer said her full committee hearing will look at progress made by a multiagency task force established under a White House executive order to examine oversight and best practices for chemical storage. The task force was established in the aftermath of last year's fertilizer plant explosion in West, Texas, that killed 15 people.

A spokesman for the House Energy and Commerce Committee, which also has jurisdiction over chemical safety issues, said the committee was "currently monitoring the federal investigation and working to fully obtain the facts surrounding the situation." Two leading Democrats on the panel, including ranking member Henry Waxman (Calif.), requested a hearing on the spill in a letter yesterday (*E&ENews PM*, Jan. 13).

Sen. Ben Cardin (D-Md.), chairman of the Water and Wildlife Subcommittee, said his panel's hearing would look at "the vulnerability to safe drinking water ... the risk factors, what we can do and whether there's adequate protection out there." The hearing could include Obama administration witnesses.

The spill has led to numerous calls for more congressional action on reform to the 1976 Toxic Substances Control Act and other chemical safety issues. Boxer said that although TSCA is a "long-term" priority for the committee, it was important to act now on chemical safety to ensure that plants are using the best practices.

"My view is TSCA reform is definitely something we need to do," Boxer said. "In the meantime, any dangerous chemicals near water supplies or that can explode -- we need to deal with those now."

West Virginia's other senator, Democrat Jay Rockefeller, has requested that a pair of federal agencies conduct a long-term study on the impacts of MCHM, because there are no protocols for long-term exposure to the substance. A U.S. EPA and Centers for Disease Control and Prevention study, he said, would help give residents and businesses confidence that their water is safe and aid in the recovery from the spill.

"Such a study will not only help the people of West Virginia but also inform any future incidents involving this compound," Rockefeller wrote in a letter to the two agencies.

An EPA spokesman said the agency would review the request but did not say whether any long-term study was planned. CDC did not respond to a request for comment by press time.

Reporter Manuel Quiñones contributed.

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