



Institute for
Policy Integrity

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STATEMENT ON EPA’S CHEMICAL ACCIDENT PREVENTION RULE

Today, the Environmental Protection Agency (EPA) finalized its Safer Communities by Chemical Accident Prevention Rule, updating and expanding the risk management program under the Clean Air Act. This rule includes a package of updates to help prevent chemical fires, explosions, and accidental releases of hazardous substances at industrial facilities, which can cause injury, suffering, and death. EPA estimates that over 131 million people live within three miles of an RMP facility. The agency’s data show that between 2004 to 2020, there were more than 2,400 accidents, amounting to billions of dollars in aggregate monetized costs. Moreover, through Clean Air Act Section 112(r), Congress tasked EPA to also reduce worst-case catastrophes that could be orders of magnitude worse than the average past accidents.

Dena Adler, Senior Attorney at the Institute for Policy Integrity at NYU School of Law, issued the following statement:

“EPA has taken critical action to strengthen its risk management program and better protect workers, first responders, and the public from dangerous chemical accidents. In fact, the rule’s calculations actually undersell the benefits of protecting the public from worst-case scenarios. EPA estimates that chemical accidents cause hundreds of millions of dollars in annual damages, but worst-case scenarios can be orders of magnitude more damaging than average accidents. Plus, the actual annual cost of accidents is likely much higher than EPA’s estimates due to reporting and quantification issues. Absent policy changes, such as these regulatory updates, chemical accident harms will likely only grow as climate change exacerbates severe weather and natural disasters that can spur chemical accidents.

Congress gave EPA the responsibility to minimize chemical accident harms “to the greatest extent practicable.” The current package of regulatory improvements makes important progress on EPA’s statutory obligations to protect vulnerable communities—including the environmental justice communities living closest to industrial facilities, who are already unfairly overburdened by pollution.”

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