

Alabama Environmental Council * Alabama Rivers Alliance * Alabama Watch * Alliance for Affordable Energy * Adam Babich, Associate Professor, Tulane Law School * Willie Fontenot * Friends of Moss Rock Preserve * Gulf Restoration Network * Louisiana ACORN * Louisiana Bucket Brigade * Louisiana Environmental Action Network * Mobile Baywatch/ Mobile Baykeeper * SEIU Local 100 * Sierra Club—Alabama Chapter * Sierra Club—Delta Chapter * Sierra Club—Mississippi Chapter * The Urban Conservancy * WildLaw

September 26, 2005

The Honorable James M. Inhofe
United States Senate
453 Russell Senate Office Building
Washington, D.C. 20510

The Honorable David Vitter
United States Senate
516 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Inhofe and Senator Vitter:

In the immediate aftermath of the devastation caused by Hurricane Katrina, our thoughts are primarily with the many people who remain in need of urgent assistance. We also recognize that the disaster that the residents of New Orleans and the Gulf Coast have suffered from Katrina will require years of cleanup, recovery, and rebuilding.

In light of the severe damage caused by Katrina – and in consideration of both the immediate and longer term concerns of the affected populations – we urge you to reconsider your bill, S. 1711. This proposal would add to the public health and environmental risks facing our communities by giving the Administrator of the U.S. Environmental Protection Agency the authority to waive or change any law under EPA’s jurisdiction or that applies to any project or activity carried out by the agency for up to 18 months. We and the people in the region that our organizations represent believe this is an unwarranted and dangerous bill.

Many people in the cities and towns most severely harmed by Hurricane Katrina are now facing some of the most serious environmental and public health dangers they and we have ever had to face. For example, according to EPA’s own monitoring data and the initial assessment prepared by EPA and the Centers for Disease Control and Prevention, “a complex array of environmental health” problems currently exists in New Orleans. This array includes threats from contaminated drinking water supplies, polluted floodwaters, broken sewage treatment systems, oil and chemical exposures, toxic sediments and sludge, and the safety of recovery personnel as well as returning residents and business owners. People from other Gulf Coast communities are also facing some or all of these hazards.

EPA itself admits that the extent of these public health and environmental risks is not well known at this time due to limited data and changing conditions, especially in the storm-damaged areas of New Orleans, and that significant additional risks may arise that do not currently exist.

EPA has specifically flagged the need for more data about toxic exposures, an area that EPA's and CDC's most recent report says "has the widest degree of uncertainty."

These known threats and significant uncertainties are of particular concern in many low income and minority neighborhoods and communities, who were disproportionately harmed by Katrina and who are especially at risk from these public health and environmental dangers because of their close proximity to chemical plants, refineries, and other potentially hazardous facilities.

Now is not the time for laws and rules designed to protect public health and the environment – laws such as the Safe Drinking Water Act, the Clean Water Act, the Clean Air Act, hazardous waste laws and others – to be waived or downplayed. Indeed, in the wake of the hurricane, we believe these laws are most desperately needed to protect communities from these unprecedented hazards.

The federal government has already been blamed for responding too slowly and inappropriately to the needs of affected communities. The last thing we need is for Congress to add to this injury by removing protections for us and the communities we represent that protect all other Americans.

The tragedy of Hurricane Katrina should not be used to waive or erode existing environmental laws, regulations and statutes in Gulf Coast states or elsewhere. We urge you to withdraw your support for S. 1711.

We look forward to your response.

Sincerely,

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CC: The Honorable Mary Landrieu
The Honorable Richard C. Shelby
The Honorable Jeff Sessions
The Honorable Thad Cochran
The Honorable Trent Lott