

# United States Senate

WASHINGTON, DC 20510

July 19, 2019

The Honorable Andrew Wheeler  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Dear Administrator Wheeler:

We write to express serious concern about the risks of the continued use of highly toxic hydrogen fluoride (HF) at dozens of refineries across the country and request that the Environmental Protection Agency (EPA) promptly re-evaluate the adequacy of these refineries' risk management plans to protect refinery workers and nearby communities.

HF is highly toxic, and if accidentally released can quickly cause serious injury or death. Yet 48 refineries across the country still use HF in the refining process, despite the availability of safer alternatives. Some of these refineries are located in densely populated areas, further magnifying the safety threat they pose. If HF had been released at the Philadelphia Energy Solutions oil refinery incident on June 21, 2019, hundreds of thousands of people in the densely populated area near the refinery could have been injured or killed.

In the past four years, three of the 48 refineries in the United States that still use HF have experienced severe malfunctions that could have resulted in catastrophic releases of the chemical. All of the facilities where these incidents occurred had EPA-approved risk management plans, and yet they still came unacceptably close to equipment failures that could have released HF, devastating plant workers and neighboring communities. For example, at the Husky Refinery in Superior, Wisconsin, debris released in an explosion on April 26, 2018 punctured a structure just feet away from a tank of HF. If the HF tank had been punctured instead, the Husky Refinery incident would have almost certainly resulted in multiple deaths and numerous grave injuries, rather than dozens of treatable ones.


It is clear that your agency needs to re-evaluate the existing Risk Management Plans for all refineries that use HF to determine whether their plans robustly protect workers and communities from potentially catastrophic HF releases. Refineries in Utah and Louisiana have already demonstrated the viability of alternatives to HF by ending the use of HF in their processes. In April, the U.S. Chemical Safety Board (CSB) called upon your agency to update a 1993 study of HF's hazards to help evaluate the adequacy of refineries' risk management plans and the viability of HF alternatives. We believe these are wise recommendations and urge you to follow them.


In light of these serious recent refinery fires, the CSB's stated concerns, and the growing use of HF alternatives, the EPA ought to conduct an updated review of the risks of HF use and take


appropriate regulatory action in response. It is imperative that any review include robust public comment opportunities and ensure that communities that play host to facilities with HF are able to raise their concerns to the agency. Any review should also include a thorough review of the best available science on HF and its alternatives, including safety information, exposure risks, and best practices for communicating with workers, the public, and health professionals that could be faced with responding to a release of HF, were it to be used in an ongoing manner.

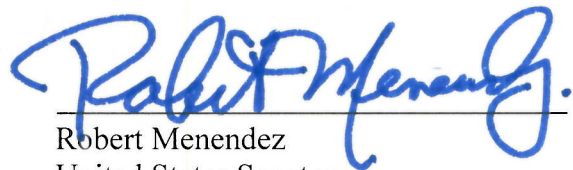
Twenty six years ago in a congressionally mandated study of the hazards of HF, the EPA recommended that “facilities actively conduct outreach efforts to ensure that the community is aware of the hazards of HF.” In many cases, including the Husky Refinery in Superior, Wisconsin, most people living near the refinery are totally unaware of the presence of such a hazardous chemical in their community. These communities, and particularly their first responders, deserve to know that this chemical is present where they live, work and raise their families. In addition, workers at refineries ought to be able to count on robust and protective regulations and operating procedures that minimize the hazards they face while working hard every day to earn a living. The EPA has come close to failing both communities and workers three times in the past four years. The agency must not ignore the lessons of these recent refinery failures. Thank you for your prompt and thorough attention to this serious issue.


Sincerely,

  
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Tammy Baldwin  
United States Senator

  
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Amy Klobuchar  
United States Senator

  
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Tina Smith  
United States Senator

  
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Robert Menendez  
United States Senator

  
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Cory A. Booker  
United States Senator