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July 17, 2001

The Honorable Carol Carmody
Acting Chairwoman
National Transportation Safety Board
490 L'Enfant Plaza, East, S.W.
Washington, D.C. 20594

Admiral James M. Loy
Commandant
U.S. Coast Guard
2100 2nd Street, S.W. #2212
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The Honorable Christine Todd Whitman
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

The Honorable Norman Mineta
Secretary of Transportation
U.S. Department of Transportation
400 7th Street, S.W.
Washington, D.C. 20590

The Honorable R. Davis Layne
Acting Assistant Secretary
Occupational Safety and Health Administration
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Dear Ladies and Gentlemen:

As you know, on Saturday, July 14, there was a devastating explosion at an ATOFINA Chemical plant in Riverview, Michigan, which is located in my Congressional District. It is with a heavy heart that I report that three constituents died in this dreadful explosion. Additionally, more than 2,000 Downriver residents, from four nearby communities, had to be evacuated from their homes.

I am deeply concerned over the severity of this incident, and write you to request that a comprehensive federal investigation be launched to determine the causes of this incident. This investigation should include a thorough review of all of ATOFINA's procedures. It must be determined whether ATOFINA was in compliance with federal law prior to this incident, and whether ATOFINA's activities constitute a risk to its workers or the surrounding communities.

Though the National Transportation Safety Board is the lead Agency in this investigation, each one of your agencies is responsible for certain issues pertaining to this investigation. It is my fervent hope that you will work together to ensure that a full and comprehensive investigation is completed. Additionally, I would like answers to the following questions, which I expect will also be properly and thoroughly addressed as you commence your investigation.

1. I have learned that ATOFINA has a prior history of spills and leaks at the Riverview plant. Previous to Saturday's accident involving methyl mercaptan, there was a spill in August 2000, involving ethylene oxide, a chemical which is extremely explosive. In May and October of 1999, there were two leaks of ethylene oxide. Finally, in July of 1999, sodium hypochlorite was released. I would appreciate you providing me with an overview of ATOFINA's safety record. Has ATOFINA been in compliance with federal law pertaining to the transport and handling of toxic and flammable chemicals? Has ATOFINA been in compliance with workplace safety standards?

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2. What specific chemicals does the Riverview ATOFINA plant handle? What risks do these chemicals pose to the surrounding communities? What are the health risks posed by methyl mercaptan to the residents of the communities surrounding the Riverview plant? What risks do these chemicals pose to the water supply?

3. It is my understanding the Riverview ATOFINA plant has been in operation since 1898. Is this facility safe given its age? Does the fact that ATOFINA operates out of a plant that is 103 years old play any role in the explosion or any of the above mentioned previous leaks and spills?

4. Representatives from ATOFINA have indicated the procedure they use for the toxic chemical, methyl mercaptan, is the same they have used for 30 years without incident. Is that an accurate statement? Could you describe this process and is it in compliance with federal law?

Thank you for your cooperation and I look forward to your timely response. Should you have any questions, please feel free to call me or have your staff contact Katie Murtha at (202) 225-4071

With every good wish,

Sincerely yours,

John D. Dingell
Member of Congress