



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



March 2, 2023

The Honorable Sherrod Brown
U.S. Senate
Washington, D.C. 20510

The Honorable J.D. Vance
U.S. Senate
Washington, D.C. 20510

Dear Senators Brown and Vance:

Thank you for your letter dated February 18, 2023, concerning the Norfolk Southern train derailment in East Palestine, Ohio. The train derailment has caused the people of East Palestine to suffer a terrible trauma. The health and safety of this community has been, and will continue to be, a top priority for the U.S. Environmental Protection Agency (EPA) and the Ohio Environmental Protection Agency (OEPA). We look forward to working with you and other partners across all levels of government to continue to support the community's residents and business owners and to hold Norfolk Southern accountable for the damage it has caused.

Your letter, attached for reference, recognizes the swift responses to the incident provided by agencies including EPA and OEPA. Your letter also acknowledges the extensive air monitoring undertaken by EPA to ensure that local residents remain protected from hazardous air pollutants arising from the incident. As you note, community members have expressed concerns about the possible release of and testing for dioxins in the local area. During Administrator Regan's visit to East Palestine earlier this week, he heard these concerns directly from residents. The input and perspective of the community continues to be essential to EPA's response efforts. To that end, we write to outline EPA's approach to responding to the concerns we have heard on the ground and to protecting all community members from dangerous exposures to dioxins and any other potential pollutants associated with the train derailment in East Palestine.

EPA's approach to addressing community concerns for dioxins so far has focused on sampling and analysis for "indicator chemicals" such as chlorobenzenes and chlorophenols that would suggest the potential for the release of dioxins attributable to the derailment. EPA is currently analyzing for 19 chlorobenzene and chlorophenol compounds in the area of East Palestine. As of February 28, EPA has collected at least 115 samples in the potentially impacted area, to include samples of air, soils, surface water, and sediments.

To date, EPA's monitoring for indicator chemicals has suggested a low probability for release of dioxin from this incident. EPA's air has detected only low levels of 1,4-dichlorobenzene typical of ambient background concentrations. One sample of surface water from Sulfur Run exceeded the reporting limit of 4-chloraniline, but attributing a single instance of this chemical to the train incident is difficult. There was one detection twice the reporting limit of pentachlorophenol in a soil sample, and this detection is consistent with the existence of railroad ties.

To address any continuing concerns for potential release of dioxins in the local area resulting from the derailment, out of an abundance of caution EPA will continue to sample for indicator chemicals and will also require Norfolk Southern to begin sampling directly for dioxins. If dioxins are found in the area including East Palestine, EPA will share the information with the public, determine whether the level of contaminants found poses any unacceptable risk to human health and the environment and direct the immediate cleanup of the area as needed, in coordination with OEPA, Pennsylvania Department of Environmental Protection, and other partners.

As we begin sampling for dioxins in soils, we know that dioxins may be found in any urban or rural environment as a result of common processes such as burning wood or coal. Dioxins break down slowly in the environment, so the source of dioxins found in any area may be uncertain. To address related questions, EPA will require Norfolk Southern to conduct a background study to compare any dioxin levels around East Palestine to dioxin levels in other areas not impacted by the train derailment. EPA is also currently reviewing a draft plan by Norfolk Southern to develop a dioxin "fingerprint" for soil sampling. EPA anticipates that developing a dioxin fingerprint for East Palestine will require use of certified laboratories that can perform high-resolution gas chromatography and mass spectrometry to identify various isomers of dioxins. If this dioxin fingerprint can be developed with reliable methodologies, it will help EPA determine whether any dioxin particularly from the train derailment and controlled burn impacted the local environment.

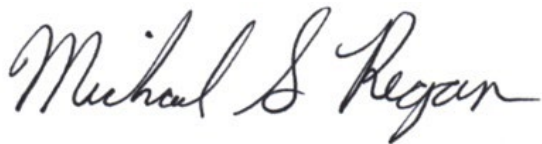
In any event, regardless of the source of any pollutant that might be found in the area, EPA retains full enforcement authorities and technical resources to ensure the ultimate protection of human health and the environment. Technical resources currently deployed to East Palestine include EPA's Trace Atmospheric Gas Analyzer ([TAGA](#)) bus, which allows for real-time mobile air monitoring, and EPA's Portable High-throughput Integrated Laboratory Identification System ([PHILIS](#)), which allows for sophisticated laboratory analysis. To facilitate community information and engagement with our work, we have also established tools including a [website](#), an information line at (866) 361-0526, and, most recently, a Community Welcome Center at 25 North Market St. in East Palestine, providing a one-stop-shop for community information, open daily 8 am to 8 pm.

As we go forward with our work in East Palestine, and surrounding areas of Ohio and Pennsylvania, EPA will continue to monitor for any hazardous pollutants, including dioxins, that may be attributed to the train incident. We will also continue to hold Norfolk Southern responsible for the environmental harm it has inflicted on this community. At EPA, we are

guided by the belief that all people in the United States of America deserve clean air to breathe, clean water to drink, and the opportunity to lead a healthy life. The people of East Palestine, Ohio, deserve no less, and EPA is committed to supporting this community for as long as it may take.

Thank you for your interest in this matter.

Sincerely yours,



Michael S. Regan
Administrator
U.S. Environmental Protection Agency



Anne M. Vogel
Director
Ohio Environmental Protection Agency