

Good Afternoon [REDACTED]

My name is David and I am the Deputy Director of PEMA. It was brought to my attention that you are interested in getting some information around safety precautions for the City of Providence, specifically around potential hazardous materials incidents, similar to those that befell East Palestine, OH – and how we might be working to protect and prevent these incidents. This is a great question, although the answer really depends on the type of incident. Here is a bit of an overview that I hope helps.

Prevention / Enforcement: The laws and regulations that govern hazardous materials transport, facilities, and storage are primarily Federal laws and regulations. The US EPA, Coast Guard and in some cases the FBI would investigate and enforce these laws. Additionally, the State of Rhode Island Department of Environmental Management (RIDEM) aids in the enforcement of these regulations. The State also has regulations and state specific standards which RIDEM follows-up on and enforces.

Some Examples: Fed: US Toxic Substances Control Act (TSCA), Comprehensive Environmental Response, Compensation, and Liability Act [Superfund Act] (CERCLA), Clean Water Act (CWA), Clean Air Act (CAA), The Oil Pollution Act (OPA). RI: Air Pollution Control Regulations, Water Quality Regulations, Underground Storage Tank Regulations, RIPDES.

While this is not a definitive list, these are some of the main programs that all hazardous materials owners / operators in RI must comply with.

Emergency Planning and Community Right-to-Know Act (EPCRA): This federal law is critically important, as it requires the creation of Local Emergency Planning Committees, or LEPCs. (Providence is LEPC-2). LEPCs are required to create an emergency response plan for their municipality. Facilities with significant quantities of hazardous materials within the community are required to report what chemicals they have, and in what quantity to the LEPC annually. Additionally, they are required to report any accidents or incidents to the LEPC. This information can also be provided to the public, so the LEPC is a great way to connect right with the emergency planning and the companies themselves.

Transportation: Laws and regulations that cover the transport of hazardous materials specifically are federally mandated. The US DOT sets regulations for all transport of hazardous materials in the United States. Local and State Police (including RIDEM Police) and the US Coast Guard will follow-up and enforce these regulations. The Federal Railroad Administration also follows up on rail

carriers, although there are some nuances to rail that do not exist in air, marine, and highway transport – as all railroads are private property. This is why in the Ohio incident, Norfolk Southern had the authority to take over the hazmat response. Eventually, the USEPA was able to show that they were not complying with some of the above mentioned laws and was able to take over the response. Rail carriers are the only organizations that have those types of options in these situations.

Response: Response is really the area that the City of Providence, and us here at PEMA are most heavily involved. There are several plans we utilize to prepare for these types of incidents. We take these plans and run various types of training and exercise to test our capabilities and the effectiveness of the plans. We are also part of various State level special teams. These teams are designed to put State mutual aid assets into play should an incident like this occur. Here are some of the plans and teams:

Teams: RI HAZMAT / DECON Team, Cranston FD-Warwick FD-Providence FD all have robust HAZMAT teams and resources individually as well, RIDMAT (Disaster Medical), Flammable Liquids Task Force, Port of Providence Marine Strike Team (With All-Hazards boats).

Plans: LEPC-2 Local Emergency Response Plan, RI Hazardous Materials Response Plan, Railroad Emergency Response Plan, Marine Emergency Response Plan, Providence Emergency Operations Plan, RI Family Assistance Plan.

Washington Park and South Providence: One initiative we have also been working on at PEMA is increasing resilience in the Washington Park and South Providence neighborhoods. Last summer, we ran a program to survey the residential, commercial, and industrial residents in these neighborhoods to assess their perception of various hazards in the area. We then wrote a report on these findings, and some solutions we can enact to make a positive change there. One of the things that came out of this project was the need to better educate on Shelter in Place. So, this summer we are bringing in a Masters Student as an intern specifically to help us build out a public information campaign and start getting this training into these neighborhoods. It's a small but critically important step as any Hazmat situation at the port would likely require a shelter in place of some sort, so the more we can build familiarity around this area the better.

At PEMA, we work closely with our state partners at RIDEM, RIEMA, and RIDOH to discuss and exercise our plans, and to work on trainings to sharpen our skills. These are areas we take seriously and we are always looking at the industry standards, and the other incidents happening across the country to learn from best practices and after action findings. As an example, in response to the Ohio incident we made the decision to completely overhaul our railroad plan to ensure it is as robust as possible. When it comes to the fine details on the enforcement side of the house, we really don't execute that function – that is a USEPA / RIDEM function, so I can't speak too much on that. However, I can say that the companies in the area have been great at bringing in our Fire Department for site visits and discussing the ins and outs of these locations. They have made investments in infrastructure at their sites to prevent runoff from spills, or airborne releases – which is key. Familiarity is so key in incidents, and when our responders know where the valves, controls, and danger areas are on sites, they can take swift action to prevent cascading effects.

If you are ever in the area, and you'd like to take a tour of our facility at PEMA we'd love to show you around. Just reach out and we can schedule a time. I hope this information helps answer some of your questions, and thank you for taking the time to reach out on this! Have a great weekend.