

Congress of the United States

Washington, DC 20515

October 9, 2024

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Regan,

We are writing to urge the Environmental Protection Agency (EPA) to take immediate action to enhance federal oversight of facilities that manufacture and/or store the hazardous chemical Trichloroisocyanuric Acid (TCCA).

On September 29, 2024, just after Hurricane Helene slammed the area, a catastrophic chemical fire took place at the BioLab facility in Conyers, Georgia, that stores TCCA. The fire released a large, billowing plume of hazardous, toxic gasses into the air, which caused the closure of parts of Interstate 20 for nearly 17 hours, with local businesses and government offices forced to close while 17,000 residents living near the plant were forced to evacuate.¹

As of today, toxic substances continue to rise into the air from the smoldering ruins of the plant, with corporate and government officials being unable to offer a specific timetable as to when the danger will end.² People not just in the immediate vicinity of the plant but also millions across southeastern metropolitan Atlanta are under constant exposure to hazardous air quality. This incident has raised serious concerns about the community's vulnerability to toxic chemical exposure. The danger is heightened by approaching rain which will douse the collapsed building under which millions of pounds of TCCA remain exposed to moisture.

BioLab, a division of KIK Consumer Products, manufactures and stores millions of pounds of chemical mixtures primarily composed of TCCA at the Conyers, Georgia facility. When TCCA comes into contact with small amounts of water, a hazardous chemical reaction is triggered that generates heat and causes decomposition of the chemical, and can in turn produce toxic chlorine gas and can also produce explosive nitrogen trichloride.³ The Conyers BioLab facility has experienced three separate chemical incidents in the past seven years, four in the past 20. Each

¹ Sanders, H., Remy Tumin, & Ruberg, S. (2024, September 29). *Fire at Rockdale County BioLab in Georgia Prompts Evacuations*. NYTimes.com; The New York Times. <https://www.nytimes.com/2024/09/29/us/chemical-bio-lab-fire-georgia.html>

² Hughes, R. (2024, September 30). *Conyers chemical plant fire: What to know*. Ajc; The Atlanta Journal-Constitution. <https://www.ajc.com/news/crime/conyers-chemical-plant-fire-what-to-know/ZECJWIRDNCR5P2DZJFSAXUQ2A/>

event resulted in dangerous chemical reactions and fires, releasing toxic gases like chlorine into the air.

There have been conflicting reports on what caused the most recent fire at the Conyers facility. One report cited water used to douse a fire on the roof of the plant seeping in, while another report blames the fire on a malfunctioning sprinkler system. Rainwater from Hurricane Helene seeping into the BioLab facility during and after Hurricane Helene has not been ruled out as a cause as well.

We are concerned that facilities like BioLab Conyers, whom manufacture and/or store TCCA are improperly managing these substances. When not handled correctly, these chemicals can contaminate local air, water, and soil, posing severe public health risks which include respiratory issues, skin irritations, and long-term conditions like lung and heart disease.

A similar incident occurred on August 27, 2020, at the Lake Charles BioLab facility in Westlake, Louisiana, in the aftermath of Hurricane Laura. The facility sustained severe damage after TCCA manufactured and stored therein was moistened by small amounts of water and decomposed, producing toxic chlorine gas and nitrogen trichloride⁴. These gases ignited, causing a fire and releasing noxious clouds of toxic gases. The U.S. Chemical Safety and Hazardous Investigation Board (CSB) investigated the incident and issued safety recommendations to minimize the consequences of future accidental chemical releases like the Lake Charles incident.

The 2023 CSB report on BioLab Lake Charles found a regulatory gap regarding the oversight of chemicals like TCCA, particularly in their classification and management under existing federal regulations. Given TCCA's involvement in multiple safety incidents due to its highly reactive properties, we urge the EPA to include it on the list of regulated substances under the Risk Management Program (RMP).

This action will prompt federal and state agencies to develop more effective safety protocols and management strategies, ensuring stricter adherence to safety standards for facilities handling this chemical. We hope the Conyers debacle will prompt the inclusion of TCCA onto the Process Safety Management (PSM) Standard under the Occupational Safety and Health Administration (OSHA).

We call on the EPA to collaborate with states to implement training programs specifically designed for emergency responders and facility staff. These programs should address the unique challenges posed by reactive chemicals that adversely react to water used to extinguish fires, focusing on appropriate firefighting techniques, chemical behavior, and risk assessment. The EPA, in partnership with state fire marshals and chemical safety experts, can establish

³ U.S. Chemical Safety and Hazard Investigation Board. (2023). *Chemical Reaction, Decomposition, and Toxic Gas Release at Bio-Lab, Inc.* U.S. Chemical Safety and Hazard Investigation Board. <https://www.csb.gov/bio-lab-lake-charles-chemical-fire-and-release/>

⁴ U.S. Chemical Safety and Hazard Investigation Board. (2023). *Chemical Reaction, Decomposition, and Toxic Gas Release at Bio-Lab, Inc.* U.S. Chemical Safety and Hazard Investigation Board. <https://www.csb.gov/bio-lab-lake-charles-chemical-fire-and-release/>

comprehensive guidelines for fire suppression techniques tailored to reactive chemicals, including recommendations for effective alternative extinguishing agents, such as dry chemical extinguishers or foam.

Considering these concerns, we respectfully request clarification by November 20, 2024, on the following matters regarding regulatory oversight and preventative measures at chemical facilities like BioLab:

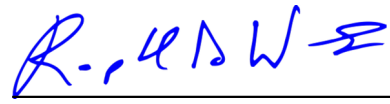
1. Has the EPA, in conjunction with the State of Georgia, initiated any investigations or inspections regarding BioLab Conyers' compliance with federal environmental and chemical safety and risk management standards following its incidents since 2020?
2. What immediate actions are the EPA and State agencies taking in response to this latest fire, given the history of public safety concerns at the Conyers facility?
3. The 2023 Chemical Safety and Hazard Investigation Board (CSB) found that TCCA and TCCA-based formulations are not covered by the Occupational Safety and Health Administration (OSHA) Process Safety Management (PSM) Standard. Has there been any progress in addressing this regulatory gap?
4. Following the BioLab Conyers incident, is the EPA considering adding TCCA to the list of regulated substances under the Risk Management Program (RMP)?
5. How is the EPA collaborating with state agencies to ensure that chemical facilities like BioLab Conyers are prepared for extreme weather events that could worsen fire hazards or hazardous material spills?
6. In response to BioLab Conyers' repeated safety failures, what specific measures will the EPA implement with state agencies to improve fire preparedness protocols, particularly for training facility staff and local emergency responders on handling fires involving non-water extinguishable substances?
7. Does the EPA anticipate monitoring potential groundwater, soil, and water contamination from the chemical fire at the Conyers BioLab facility?
8. We understand that the EPA is working to monitor air quality following the chemical fire. What steps has the EPA taken to inform affected communities of their findings and recommendations to safeguard the health and safety of these communities and their environment?
 - a. How have the locations and spatial extent of the EPA's air quality monitoring area changed as the location and direction of the smoke plume has shifted?
9. What specific additional authority and resources does the EPA need to effectively prevent future incidents at chemical facilities like BioLab Conyers?

The gravity of this situation underscores the need for changes to the federal and state regulatory systems. We look forward to your prompt response and urge robust, decisive measures to address the serious environmental and safety concerns posed by incidents like this.

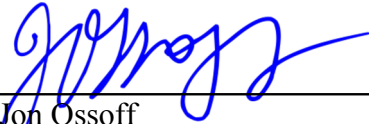
Sincerely,



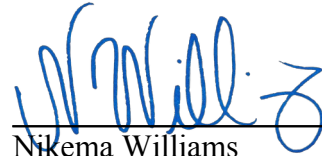
Henry C. "Hank" Johnson, Jr.
Member of Congress



Raphael Warnock
United States Senator



Jon Ossoff
United States Senator
Chairman
Subcommittee on Human
Rights and the Law



Nikema Williams
Member of Congress



Lucy McBath
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David Scott
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