

September 28, 2021

The Honorable Diana DeGette
Chairwoman
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

The Honorable H. Morgan Griffith
Ranking Member
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Chairwoman DeGette and Ranking Member Griffith

The American Chemistry Council (ACC) and the American Fuel & Petrochemical Manufacturers (AFPM) would like to thank the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce for holding its September 29 hearing on revitalizing the Chemical Safety Board (CSB). ACC and AFPM strongly support the CSB's mission and are committed to working with this Subcommittee, the CSB, and regulatory agencies to further protect workers, the public, and the environment. We believe that a fully constituted CSB, properly funded and managed, is essential to achieving our shared safety objectives.

ACC represents the major chemical producers across the United States, including a diverse set of small and medium-sized companies. ACC members make and enhance products that are critical to the everyday health and welfare of our nation. In fact, more than 96% of all manufactured goods are directly touched by our industry. Our commitment to safety is embodied in ACC's Responsible Care® program, the chemical industry's leading environmental, health, safety, and security performance initiative. Our Process Safety Code® obligates companies to develop and implement a comprehensive process safety management system to manage risk and seek opportunities to improve performance.

AFPM is the leading trade association representing the makers of the fuels that keep us moving, the petrochemicals that are the essential building blocks for modern life, and the midstream companies that get our feedstocks and products where they need to go. AFPM members are committed to the safety of their employees, contractors and community and utilize various AFPM safety programs like Advancing Process Safety and Process Safety Regional Networks to continuously improve and learn from each other.

Congress has tasked CSB with the critical role of investigating industrial chemical accidents, conducting root cause analyses, and making recommendations based on the factual determinations. The CSB's findings are highly influential and a catalyst for safety improvements. Our members find considerable value in the CSB's work – especially the reports, videos and other materials generated by the Board as part of its investigations.

The Board deserves credit for the improvements made over the years to engage stakeholders and share useful information at all stages of its investigations. At the same time, it is critical that the Board communicate not just the hazards of processes it investigates (as its remit is to address incidents arising from inherently hazardous operations) but identify specific risks related to the incident and recommend steps that can be taken to mitigate those risks.

The CSB must be managed by objective and qualified board members. Getting the CSB back up to full strength must be a priority, and it must be done with the individuals who are best equipped for the job. Board members should have a broad range of applicable experience and expertise, including experience in the operations, processes and procedures employed in commercial chemical facilities.

The CSB must also have adequate funding to attract, train and retain qualified staff investigators. We urge Congress and the Administration to support appropriate funding levels needed for the CSB to be successful.

ACC and AFPM appreciate the Subcommittee's important oversight role and stands ready to work with you to help support the CSB's mission.

Sincerely,



Chris Jahn
President and CEO
American Chemistry Council



Chet M. Thompson
President and CEO
American Fuel & Petrochemical Manufacturers