

**Testimony of Andrew J. Whelton to the Democratic Policy Committee
Commonwealth of Pennsylvania**

Senator Katie Muth – Chair
Democratic Policy Committee

May 17, 2023

Dear Chairman Muth and Honorable Senators:

Thank you for the invitation to speak with you today. I would like to update you on our findings in response to the Norfolk Southern February 3, 2023 chemical spill and chemical fires. Due to the lack of available information, I led a volunteer Purdue University team to the area from West Lafayette, Indiana. Our team has visited five times since February. We stepped in to help households and businesses after watching officials fail to transparently share information.

I am submitting this testimony in my individual capacity. My personal views are based on 20 years of experience as a civil and environmental engineer. I am not representing the views of Purdue University, my College or my Department.

As mentioned in the March 2023 Senate hearing, I am often called into nationally significant chemical spills, wildfires, and other disasters to provide community and executive level support.

During our visits to Pennsylvania and Ohio since February we have met with residents and businesses to learn about their concerns. To assist them, we have collected creek water, private well water, soil samples, honey from apiaries, and tested the air. Our focus has been to understand the scale of chemical contamination and health risks posed by this disaster.

For perspective, our effort has included supplies, travel, and labor which have exceeded \$100,000. This effort has primarily been supported by Purdue University.

Since my team became involved, county, state, and federal officials have begun to share critical information. There are still serious issues that inhibit recovery.

1. The main concern we hear from Pennsylvania households and businesses is about chemicals deposited on their property. They want to know if their well water, soil, crops, livestock, and food are contaminated. As the State of Ohio reported this week, some soil testing has been conducted for their farms. I did not find similar test results for Pennsylvania farms. I encourage Pennsylvania to share results transparently with the public.
2. Recovery cannot be achieved with the U.S. Environmental Protection Agency refusing to disclose the chemical plume footprint created by Norfolk Southern. U.S. EPA officials have repeatedly stated that they created and used a chemical plume model for decision making. Since the disaster began, Pennsylvanians and Ohioans have asked for this information. The public cannot have confidence in Pennsylvania's or Ohio's environmental testing if the areas impacted by the disaster are not clear. U.S. EPA should immediately disclose the footprint and data they used for their modeling.

3. Apiaries have told us that more than 1 million bees died in the days after the disaster. At their request, we screened honey samples in a five-mile radius of East Palestine, Ohio. We did not find the four chemicals we screened for associated with the spill. We encourage state Agriculture agencies to continue to support businesses through chemical testing.
4. In April, I notified U.S. EPA Administrator Michael Regan that Norfolk Southern was sending indecipherable well testing documents to households in East Palestine. Norfolk Southern's documents revealed that 29 times they were unable to determine if a contaminant was present at "regulatory standards" that can cause harm, yet seemingly told residents their water did not pose a risk. Norfolk Southern also failed to provide households with QA/QC records to ascertain if the water analysis was thorough. I encourage you to review well testing records being sent to your citizens to make certain your citizens are not being equally confused and provided substandard information.
5. On May 4, our team returned to the area to sample creeks and wells. I can confirm that, three months after the disaster, the acrid odor associated with the contaminated creeks was present inside at least one East Palestine building. For confidentiality purposes, I will not describe this further. The U.S. Environmental Protection Agency was notified about this building before I arrived but had not acted to decontaminate the building. People within the building had experienced adverse health impacts multiple times consistent with chemical exposure. Air testing records from Norfolk Southern indicated that in February CTEH (Norfolk Southern's air testing contractor) left the building because of their own concerns for the offensive odor and never returned. Please be thorough in your own chemical testing of impacted Pennsylvania homes and businesses.
6. While onsite, it was discovered that East Palestine residents were being told incorrect information by the U.S. EPA. For example, at the May 4 public meeting about drinking water well testing attendees were told that the U.S. EPA had tested 398 wells. But, as of April 25, a mailed USEPA newsletter claimed 459 wells had been tested. I recommended that you check the information being provided to Pennsylvania households and businesses as inconsistencies sow confusion and degrade public confidence.
7. Some aquatic life seems to be returning to Leslie Run in East Palestine, but I saw no evidence of aquatic life in Sulfur Run. Chemical contamination still remained in both waterways as of May 5.

I encourage Pennsylvania's leaders to support their citizens and businesses with rapid and thorough environmental and agricultural sampling and analysis. I also encourage leaders to prioritize answering the specific questions asked by the people and businesses impacted.

Thank you for the opportunity to share this information with you today. We should have more discoveries in the coming weeks.

File is available at www.PlumbingSafety.org. Letters to agencies and presentations can also be found at that website.