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NEWS RELEASE

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New Research Report Details How Gov. Christie Helps Oil, Chemical, and Railroad Companies Cover Up Potential Catastrophes

Governor Violates Federal Law Requiring Public Access to Local Emergency Response Plans in Counties and Municipalities

Governor Chris Christie has failed to carry out his legal responsibility under federal law for ensuring that the public has access to an up-to-date Emergency Response Plan (ERP) in each of New Jersey's counties and municipalities in the event of a chemical plant or oil train fire, explosion, or other toxic emergency.

Public access to these Emergency Response Plans as required under the 1986 Emergency Planning and Community Right to Know Act (EPCRA) is critical given that New Jersey has more than 3,000 facilities that use large amounts of hazardous chemicals, with the highest population density of any state.

As detailed in a new research report issued today, ***Danger in the Dark***, the New Jersey Work Environment Council (WEC) wrote to the 59 municipalities and 19 counties that host the 93 most potentially hazardous facilities that are regulated by the NJ Toxic Catastrophe Prevention Act (TCPA), requesting to review their Emergency Response Plans as authorized by EPCRA.

Forty municipalities (or 68%) and 13 counties (also 68%) denied the request, reflecting an ongoing practice of the Christie administration to allow this clear violation of EPCRA. Of the at least 11 counties with railroad lines that carry ultra-flammable Bakken crude oil, seven refused access to review their emergency plans. The WEC report is available at <http://www.njwec.org/dangerinthedark.cfm>

"The governor's failure to ensure public oversight required by law means that New Jersey residents are not protected from toxic disaster," said WEC director **Rick Engler**. "It also protects corporate executives from pressure to replace high hazard substances or processes with safer ones. It's a clear case of the Christie administration giving short-term profits priority over worker and public safety."

N.J. Senate Majority Leader **Loretta Weinberg** said the Christie administration has used security concerns as an excuse to refuse public access to information about the millions of gallons of ultra-flammable Bakken crude oil that are now being transported by rail through local communities, posing serious danger to rail workers, firefighters, and everyone who lives, works, or goes to school near these tracks.

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“How can the public be prepared if information about the hazards is withheld?” Weinberg asked. “New York State has determined that respecting the public’s right to know about these oil dangers does not jeopardize security. Why should the people of New Jersey be kept in the dark?” In Bergen County, Bakken oil trains travel through Northvale, Norwood, Harrington Park, Closter, Haworth, Dumont, Bergenfield, Teaneck, Bogota, Ridgefield Park, and Ridgefield.

John Pajak, president of WEC and a worker at the Phillips 66 Bayway refinery in Linden, NJ who unloads oil ships, said his union, Teamsters Local 877, has been trying since February to get access to Linden’s Emergency Response Plan, given that Phillips 66 has begun receiving rail shipments of Bakken crude oil. A Bakken train derailment last year in Quebec sparked a fire that killed 47 people. “City officials obviously believe that under the Christie administration they can just ignore the public’s legal right to information about our own safety,” Pajak said.

Dominick Marino, president of the Professional Firefighters of New Jersey, said that public access to up-to-date Emergency Response Plans is essential to the effectiveness of first responders. “Not only do we all need access to the information, but it needs to be updated at least once a year as the law requires,” Marino said. “Conditions change and new hazards are created. Without public review, there is no way to ensure that the updating is taking place.”

Gerald Poje, two-term founding member of the U.S. Chemical Safety and Hazard Investigation Board, was on scene during many federal investigations into explosions, fires, and toxic chemical releases. “Every incident proves the value of increased investments in prevention and for improving emergency response plans. History sadly demonstrates that secret plans needlessly risk lives and provide insufficient protection for workers, communities and businesses.”

“Federal law is clear,” said **David Tykulsker**, an attorney and WEC Counsel. “It does not provide for denial of public access to emergency response plans by claiming security concerns, and no policy or practice of the Christie administration can override that.”

“In New Jersey, many schools are within one mile of a high risk chemical facility, potentially putting thousands of students in danger of a catastrophic chemical disaster,” said **Trisha Sheehan** of Moms Clean Air Force. “Communities can improve emergency response plans by suggesting improvements, but only if we know what is in them.

“Given that one-third of New Jersey counties and municipalities did grant access to their emergency plans, it’s obvious that complying with the law on disclosure is not burdensome or a security risk,” said **Debra Coyle**, WEC assistant director and co-author of the “Danger in the Dark” report. “The only reason the Christie administration has for denying access to information is to protect executives who maintain highly hazardous operations from public scrutiny.”

The New Jersey Work Environment Council (WEC) is an alliance of 70 labor, community, and environmental organizations working together for safe, secure jobs, and a healthy, sustainable environment. Our report in October, 2013, “Failure to Act,” documented the fact that Gov. Christie has also turned a blind eye to New Jersey facilities that have ignored state law aimed at reducing the risk of toxic disasters by replacing high hazard substances and processes with safer ones. Visit www.njwec.org.