

September 22, 2005

Dear Senator:

We are writing to ask that you oppose S. 1711, an outrageous attempt to exploit the tragedy of Hurricane Katrina to justify sweeping waivers of public health, safety and environmental laws. S.1711 would grant U.S. EPA sole and absolute authority to waive federal or state laws anywhere in the country for up to one and a half years. And this waiver authority would extend well beyond environmental laws. EPA must only claim such waiver is in the public interest and is somehow linked to Hurricane Katrina. The agency need not demonstrate that such waiver is required to protect public health and safety, and indeed there is no requirement for EPA to provide any protections in granting waivers.

The bill's anti-environmental agenda exploits the human suffering from the hurricane by allowing private industry to operate above the law and ultimately to risk more suffering to the very people injured by the hurricane. S.1711 especially threatens the most vulnerable communities in the Gulf Coast, and those living in the shadows of oil refineries, by authorizing the elimination of protections that ensure they have clean water to drink, clean air to breathe, and the right to live in a toxic-free community. With the hurricane's devastation disproportionately hurting poor and minority residents already, this bill adds insult to injury by kicking those residents while they are down.

EPA Administrator Stephen Johnson told Congress on September 13th that the agency has all the authority it needs under existing law to respond to Hurricane Katrina, and EPA has already used that authority to relax some environmental programs. Granting EPA unlimited waiver authority – and opening the door to risking the health and safety of millions of Americans -- is not the way to help Gulf states recover from Hurricane Katrina.

Instead of providing authority to waive public health protections, EPA and Congress should be providing enhanced air and water quality monitoring to both inform the clean-up process and to give confidence to citizens and businesses returning to and rebuilding New Orleans and the Gulf Coast that their health will be protected.

A fact sheet on S.1711 is attached. We hope that you will work to oppose this unwise legislation and similar measures that would use the tragedy of Hurricane Katrina to put our health, safety and environment at risk.

Sincerely,

Karen Wayland
Legislative Director
Natural Resources Defense Council

Anna Aurilio
Legislative Director
U.S. Public Interest Research Group

Joan Mulhern
Senior Legislative Counsel
Earthjustice

Debbie Sease
Legislative Director
Sierra Club

Damu Smith
Executive Director
National Black Environmental
Justice Network
Dr. Beverly H. Wright
Director
Deep South Center on
Environmental Justice,
Xavier University

Wenonah Hauter
Director, Energy Program
Public Citizen

Karen Steuer
Vice President, Government Affairs
National Environmental Trust

Lynn Thorp
National Campaigns Coordinator
Clean Water Action

John D. Wilson
Executive Director
Galveston-Houston Association
for Smog Prevention

Brent Newell
Director, San Joaquin Valley
Air Quality Project
Center on Race, Poverty & the Environment
San Francisco, CA

Luis Cabrales
Residents of Pico Rivera
for Environmental Justice
Pico Rivera, CA

Steve Fleischli
Executive Director
Waterkeeper Alliance

Kathleen Logan Smith
Board Member
Health & Environmental Justice-St. Louis

Jane Williams
Executive Director

Sara Zdeb
Legislative Director
Friends of the Earth

Elizabeth Thompson
Legislative Director
Environmental Defense

Monique Harden & Nathalie Walker
Co-Directors & Attorneys
Advocates for Environmental
Human Rights
New Orleans, LA

J. Robert Shull
Director of Regulatory Policy
OMB Watch

Eric Schaeffer
Executive Director
Environmental Integrity Project

Kathy Andria
President
American Bottom Conservancy
East St. Louis, IL

John Blair
President
Valley Watch, Inc.
Evansville, IL

Stephen A. Smith
Executive Director
Southern Alliance for Clean Energy

Linda Sheehan
Executive Director
California Coastkeeper Alliance
Fremont, CA

Mary Wildfire
Vice President
Concerned Citizens Coalition of Roane
Calhoun and Gilmer Counties
Spencer, WV

Don McEnhill
Executive Director

California Communities Against Toxics
Rosamond, CA

Russian Riverkeeper
Healdsburg, CA

Chuck Wrostok
Vice President/Outreach Coordinator
West Virginia Environmental Council
Charleston, WV

Vivian Stockman
Project Coordinator
Ohio Valley Environmental Coalition

Michael Mariotte
Executive Director
Nuclear Information and Resource Service
Washington DC

Virgil Welch
Legislative Director
Planning and Conservation League
Sacramento, CA

Rachel L. Gibson
Environmental Health Advocate &
Staff Attorney
Environment California
San Francisco, CA

Susan Frank
Vice President, Public Policy
Steven and Michele Kirsch Foundation

Monica Moore
Co-Director
Pesticide Action Network North America

David Monk
Board President
Oregon Toxics Alliance
Eugene, OR

Lois Gibbs
Executive Director
Center for Health, Environment & Justice
Falls Church, VA

Bill Walsh
National Coordinator
Healthy Building Network
Washington, DC

Jeanne Rizzo, R.N.
Executive Director
Breast Cancer Fund
San Francisco, California

Veronica Eady
Senior Staff Attorney
New York Lawyers for the Public
Interest

Rick Hind
Legislative Director
Toxics Campaign
Greenpeace

Jo Rupert Behm, M.S., RN
State and Federal Health and
Education Public Policy Chair
Learning Disabilities Association of
California

Wendy Steffensen
North Sound Baykeeper
RE Sources for Sustainable Communities
Bellingham, WA

David Lighthall, Ph.D
Research Director
Relational Culture Institute
Fresno, CA

Kevin Stinnette
Indian Riverkeeper
Jensen Beach, FL

John Nelson
Grand Traverse Baykeeper
Traverse City, MI

Anne Brasie

Terry Backer

Executive Director
The Watershed Center Grand Traverse Bay
Traverse City, MI

Bill Schultz
Riverkeeper
Raritan Riverkeeper
Keasbey, NJ

Jay Charland
Assateague Coastkeeper
Assateague Coastal Trust, Inc.
Berlin, MD

Fred Tutman
Executive Director and
Patuxent Riverkeeper
The Patuxent Riverkeeper
Marlboro, MD

Ted Schettler MD, MPH
Science and Environmental Health Network
Ames, Iowa

Executive Director/Keeper
Soundkeeper, Inc
Norwalk, CT

Sally Bethea
Executive Director
Upper Chattahoochee Riverkeeper
Atlanta, GA

Frank Carl
Executive Director
Savannah Riverkeeper
Augusta, GA

Shawn Lessord
Executive Director
Erie Canalkeeper, Inc.
Brockport, NY