

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6375

www.science.house.gov

April 10, 2019

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1301 Constitution Ave. NW
Washington, D.C., 20460

Dear Administrator Wheeler,


We are following up on the letter we sent on March 6, 2019 that requested EPA provide all documents prepared or received by EPA officials in relation to the decision to prevent the NASA Atmospheric Tomography mission from participating in post-hurricane response, with a response deadline of March 20, 2019.

EPA provided a response letter on April 5, over two full weeks past the original document request deadline. This letter from the EPA did not provide any responsive documents per our original request letter from March 6, 2019. The Committee does not consider the original request from March 6 to be complete. The Texas Commission on Environmental Quality and the National Aeronautics and Space Administration, who both received virtually identical letters on March 6, have both provided responsive documents to the Committee.


The letter we sent on March 6, 2019 expressing our concerns and detailing our document request is attached. Please provide the responsive documents by close of business on Friday, April 12. If you have any questions about this request, please feel free to contact John Piazza, Chief Counsel for the Committee at (202) 225-6375.

Thank you for your attention to this matter.

Sincerely,


EDDIE BERNICE JOHNSON
Chairwoman
Committee on Science, Space, and
Technology


LIZZIE FLETCHER
Chair
Subcommittee on Environment


MIKIE SHERRILL
Chairwoman
Subcommittee on Investigations and
Oversight

Cc:
The Honorable Frank Lucas
Ranking Member
Committee on Science, Space and Technology

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March 6, 2019

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1301 Constitution Ave. NW
Washington, D.C., 20460

Dear Administrator Wheeler,

We are deeply concerned about a recent report from the LA Times concerning the alleged denial of permission for the National Aeronautics and Space Administration (NASA) to overfly the Houston area to collect air quality measurements following the Hurricane Harvey disaster.¹ According to the LA Times, immediately following Hurricane Harvey, NASA suggested that they divert their state of the art flying chemistry laboratory, known as the Atmospheric Tomography Mission², from a planned test run over Oklahoma to sample the air quality over Houston.³ However,

“The mission never got off the ground. Both the state of Texas and the EPA told the scientists to stay away.

According to emails obtained by The Times via a public records request and interviews with dozens of scientists and officials familiar with the situation, EPA and state officials argued that NASA’s data would cause ‘confusion’ and might ‘overlap’ with their own analysis — which was showing only a few, isolated spots of concern.

‘At this time, we don’t think your data would be useful,’ Michael Honeycutt, Texas’ director of toxicology, wrote to NASA officials, adding that low-flying helicopters equipped with infra-red cameras, contracted by his agency, would be sufficient.

¹ Susanne Rust and Louis Sahagun, “Post-Hurricane Harvey, NASA tried to fly a pollution-spotting plane over Houston. The EPA said no.” LA Times, March 5, 2019, accessed here:

<http://www.latimes.com/local/california/la-me-nasa-jet-epa-hurricane-harvey-20190305-story.html>

² <https://espo.nasa.gov/atom>

³ LA Times.

EPA deferred to Honeycutt, a controversial toxicologist who has suggested air pollution may be beneficial to human health.”⁴

This is deeply troubling.

Hurricane Harvey was one of the largest disasters the State of Texas has ever faced. Massive flooding and wind damage caused intense suffering for the people of the Houston area. That suffering was apparently compounded by the release of toxic chemicals from the Houston area’s many industrial areas and Superfund sites. As the LA Times article points out,

“When the storm finally moved north and east on Sept. 4, the level of environmental destruction and confusion on the ground was unprecedented.

Smokestacks, pipelines and generators had been damaged or destroyed. Storage tanks filled with toxic chemicals were battered and leaking. Superfund sites were flooded, spilling hazardous waste into nearby rivers, streams and neighborhoods.”⁵

These environmental concerns were widely reported at the time.⁶ Concern about air quality was almost immediately raised following the storm.⁷ Those concerns appear to have been mostly dismissed by officials at the Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality.

When disaster strikes, the American people rightly expect their government to provide an “all hands on deck” response. When legitimate health concerns are raised, those concerns should be investigated to the fullest extent possible. If the LA Times report is accurate, the State of Texas and the EPA failed in this respect. Instead of gathering the most accurate air quality data possible, State and Federal officials apparently decided they would rather not know about potential toxic chemical releases that could have been impacting our communities and first responders.

If this is true, it is not only an embarrassment, it is unacceptable.

⁴ Id.

⁵ Id.

⁶ Darryl Fears and Brady Dennis, “Houston’s polluted Superfund sites threaten to contaminate floodwaters,” Washington Post, (August 29, 2017), accessed here: https://www.washingtonpost.com/news/energy-environment/wp/2017/08/29/houstons-flood-threatens-to-turn-polluted-superfund-sites-into-a-toxic-gumbo/?utm_term=.f6951fc0bd3a

Hiroko Tabuchi and Sheila Kalpan, “A Sea of Health and Environmental Hazards in Houston’s Floodwaters,” New York Times, (August 31, 2017), accessed here: <https://www.nytimes.com/2017/08/31/us/houston-contaminated-floodwaters.html>

⁷ Adam Arlington, “Flooded Houston Facing Threat From Air, Too, With Toxic Gas Releases,” BNA, (August 30, 2017), access here (paywall): <https://www.bgov.com/core/news/#!/articles/OVISPY3H0JK3>

In order for us to fully understand the sequence of events which lead to the decision to not collect additional air quality information following Hurricane Harvey, please provide us with the following information by March 20, 2019:

All documents (including, but not limited to, comments, notes, emails, legal and other memoranda, white papers, scientific references, letters, telephone logs, text messages, meeting minutes and calendars, photographs, slides, and presentations) prepared or received by EPA officials in relation to the decision to prevent the NASA Atmospheric Tomography Mission from participating in post-hurricane response. This should include any documents (as defined above) related to the offer, receipt of the offer, and consideration of the offer to divert the mission to Houston. This should also specifically include any deliberations or communications between or among the State of Texas, EPA, and NASA. This request is intended to be comprehensive, and should include any and all documents (as defined above) related to the possible diversion of the Atmospheric Tomography Mission to the Houston area in the aftermath of Hurricane Harvey.

If you have any questions about this request, please feel free to contact John Piazza, Chief Counsel for the Committee at (202)225-6375.

Thank you for your attention to this matter.

Sincerely,



EDDIE BERNICE JOHNSON
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