

United States Senate

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SPECIAL COMMITTEE ON AGING

Environment and Public Works Committee – Protecting Public Health and the Environment in the Wake of the Norfolk Southern Train Derailment and Chemical Release in East Palestine, Ohio

March 9, 2023
Statement for the Record

After the Norfolk Southern train derailed a little over a mile from the Pennsylvania border, many Pennsylvania families were forced to rapidly evacuate from their homes. Some were living in the formal evacuation zone, and others saw the plume and moved quickly to try and keep their families safe. In the weeks since, many Pennsylvanians—primarily in Beaver and Lawrence counties—have reported nausea, headaches, rashes, and watering eyes, all symptoms that could be related to the potential chemical exposure.

In the aftermath, Pennsylvania farmers are worried about the soil they use to make a living and the food they grow. Residents are worried about the water in their wells, the meat they bring home from hunting, and the fish they catch. And above all, many are worried about the long-term impact of this disaster on their own health and the health of their children and loved ones.

We cannot sit by and allow executives at big companies like Norfolk Southern to operate as if the health and safety of communities like Darlington Township and East Palestine are expendable. We cannot allow these communities to continue to be forgotten and left behind.

The goal is safe freight rail transportation, which will only be possible if railroads act as good faith partners and put safety over profits. That's why I'm proud to be working with my colleagues to stand up for these communities and hold all the parties responsible for this tragedy accountable.

I'm working with my colleagues across both state and party lines to fight for the forgotten people of Pennsylvania and Ohio, hold Norfolk Southern responsible for the damage they've caused, and prevent similar disasters from happening in the future. I would specifically like to thank my colleagues from Ohio, Senator Sherrod Brown and Senator J.D. Vance, for being great partners with Senator Bob Casey and myself throughout this process.

Our work together in the wake of this disaster has been two-fold. First, we've done everything we can to support Pennsylvanians and Ohioans affected by the disaster in the short-term, namely advocating for resources and compelling Norfolk Southern to detail how they will make these communities whole.

We wrote to Norfolk Southern Corporation President and CEO Alan Shaw about the company's legal and moral obligation to the residents of East Palestine and Darlington Township, and demanded answers on how the company plans to be an active member of the response and clean-up operations. We have also engaged with the Environmental Protection Agency (EPA) on its plan to hold Norfolk Southern accountable for releasing hazardous materials into the air and water. We wrote to the National Transportation Safety Board (NTSB) to share rail safety concerns we have heard from constituents, rail experts, and railroad workers as the NTSB conducts its investigation into the derailment. And finally, I worked with Senator Casey and Congressman Chris Deluzio to urge Norfolk Southern to provide assistance to Pennsylvanians in Darlington Township after repeated reports that Pennsylvania residents were being turned away from the Family Assistance Center in East Palestine.

While working toward these important short-term solutions, we're also fighting to prevent similar disasters from happening in the future. To that end, Senator Casey and I worked with Senators Brown and Vance to introduce the bipartisan Railway Safety Act of 2023, which would take much needed steps to improve rail safety protocols and keep American families safe. I am grateful that my colleagues across the aisle have recognized the urgent need for commonsense updates to our rail safety framework. This legislation is a critical first step, but it cannot be the last.

I'd also like to thank the state agencies in Pennsylvania and the Biden administration for their work in the weeks following the derailment. These agencies have provided frequent and thorough updates that have been critical to the work we've done. EPA's announcement last week that they would test for dioxins was a welcome development and will provide important information for the people of Pennsylvania and Ohio.

The bottom line is that everyone deserves to be safe where they live. In the wake of this disaster, it's clear that there's a lot that we need to get done to make that a reality.

And at a time when so much is still uncertain, we need to make sure Pennsylvanians and Ohioans get answers to their questions.

My hope is that we answer this disaster caused by egregious negligence from Norfolk Southern with real policy solutions that will hold Norfolk Southern and similar companies accountable while making American families safer in the future. I believe that the legislation introduced last week is a great first step. I look forward to getting some answers today and continuing to work with my colleagues to get Pennsylvanians and Ohioans alike the resources they need.