

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

March 17, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden:

We write today to urge your administration to permanently revoke the construction permits issued by the U.S. Army Corps of Engineers (Corps) for the Formosa Plastics petrochemical complex located in St. James Parish – deep in Louisiana’s Cancer Alley. This disastrous project is an affront to environmental justice and contrary to your goals to reduce pollution in frontline communities. Formosa Plastics is the largest proposed new source of greenhouse gases in the nation, and, if completed, would compound adverse health effects, exacerbate racial inequality, and be among the largest polluting facilities in the United states.

Along the 85-mile stretch between Baton Rouge and New Orleans, communities of color are already overburdened with the cumulative impacts of more than 150 petrochemical facilities.¹ According to the Environmental Protection Agency, seven of the ten U.S census tracts with the highest cancer rates are along this portion of the river. With a majority Black and low-income population, St. James Parish alone has 12 refineries within a 10-mile radius. Formosa Plastics would be the 13th.

According to a recent study, the Formosa site is already “more toxic with cancer-causing chemicals than 99.6% of industrialized areas of the country,” and Formosa’s permit application indicates that the complex would release an additional 26 million tons of cancer-causing chemicals annually.² If Formosa is allowed to operate, the study estimates that the residents of St. James Parish would be exposed to “more than triple” the current level of toxic chemicals, including carcinogens such as benzene, formaldehyde, and worst of all ethylene oxide, a harmful chemical linked to breast cancer, non-Hodgkin lymphoma, and lymphocytic leukemia.³ Above and beyond cancer concerns,

¹ <https://www.businessinsider.com/louisiana-cancer-alley-photos-oil-refineries-chemicals-pollution-2019-11>

² Younes, L. (2019, November 18). What Could Happen if a \$9.4 Billion Chemical Plant Comes to “Cancer Alley.” *ProPublica*. Retrieved from <https://www.propublica.org/article/what-could-happen-if-a-9.4-billion-chemical-plant-comes-to-cancer-alley>

³ Younes, L. (2019, November 18). What Could Happen if a \$9.4 Billion Chemical Plant Comes to “Cancer Alley.” *ProPublica*. Retrieved from <https://www.propublica.org/article/what-could-happen-if-a-9.4-billion-chemical-plant-comes-to-cancer-alley>

preliminary studies indicate air pollution is also linked to higher COVID-19 death rates.⁴

In addition to the threats Formosa poses to local communities and public health, the complex would also have a dire impact on the environment. Once operating, the plant will exacerbate the area's growing microplastic pollution problem by discharging plastic pellets into the Mississippi River. Greenhouse gas emissions from the Formosa complex are expected to exceed 13.6 million tons per year – the equivalent of more than three coal-fired power plants. The plant would also destroy wetlands that currently help protect the region from hurricanes, which are intensifying with climate change, and replace a sugar cane field essential for storm drainage and flood control.

Formosa has a documented history of disregarding human health and environmental safety, and 98 state or federal civil cases have already been filed against the company. Since August 2009, the Formosa plant in Baton Rouge, Louisiana, has failed to correct its Clean Air Act violations every single month. A Texas federal judge labeled Formosa Plastics a serial offender due to its continuous discharge of plastic pellets into the Gulf of Mexico. In 2019, the company agreed to a \$50 million settlement for its pollution of waterways in Texas, the largest Clean Water Act settlement in U.S. history.⁵ The most egregious example of Formosa's blatant disregard for the environment and public health is the company's responsibility for Vietnam's worst environmental disaster. In 2016, Formosa leaked cyanide into the South China Sea, causing massive fish die-offs along Vietnam's central coast, devastating local fishing communities and impacting more than 40,000 workers.⁶

The facts are clear, and environmental justice leaders, environmental non-profits, and community members all agree that this project must be terminated. On July 24, 2020, RISE St. James, the Center for Biological Diversity, Louisiana Bucket Brigade, and Healthy Gulf filed an injunction on behalf of St. James Rising to block construction, arguing that the Corps failed to consider the cumulative impacts of chemical releases, wetland destruction, and gravesite desecration. The Army Corps' environmental review had found no significant impact to the community, and the agency therefore declined to complete a full environmental impact statement.

Since then, the Army Corps suspended the permit for re-evaluation and a federal judge has dismissed the challenge. The company remains barred from starting significant construction as the Army Corps reviews the permit. The Corps said it incorrectly dismissed five sites in the predominantly white Ascension Parish from its environmental review as alternatives to Formosa's.

On day one, your administration clearly signaled your resolve to combat the climate crisis and meaningfully address environmental justice. By taking swift action against the Trump administration's environmental rollbacks and advancing a whole-of-government initiative to advance racial equity, you have offered the American people a small glimpse of what is to come. Your revocation of harmful permits that ended the controversial Keystone XL Pipeline represented a historic victory for frontline communities across the country.

⁴ <https://www.hsph.harvard.edu/news/hsph-in-the-news/air-pollution-linked-with-higher-covid-19-death-rates/>

⁵ <https://www.texastribune.org/2019/12/03/texas-judge-approves-settlement-agreement-water-pollution-formosa/>

⁶ <https://www.theguardian.com/global-development/2017/aug/14/vietnamese-fishermen-jobless-fish-poisoning-battle-justice>

Ultimately, the Formosa Plastics project is a leap backwards from your vision to build back better.⁷ We are on the precipice of achieving racial justice and creating a sustainable and green economy. Allowing the Formosa plastics complex to continue would cause irreparable harm to the Black community members of St. James Parish, destroy the environment, and set back your goals of achieving an equitable and just transition. Mr. President, the time to end this project is now.

We thank you for your immediate steps to progress climate policy, and we look forward to working with you during your administration to achieve environmental justice for all.

Sincerely,

 

Raúl M. Grijalva
Chair Committee on
Natural Resources

A. Donald McEachin
Member of Congress

⁷ <https://joebiden.com/joe-bidens-plan-to-build-back-better-for-american-workers/>