

Congress of the United States
Washington, DC 20515

July 30, 2020

Andrew Wheeler, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Richard Whitman, Director
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232

Dear Administrator Wheeler and Director Whitman,

In recent weeks, Portland Police Bureau, U.S. Department of Justice, and U.S. Department of Homeland Security officers in Portland, Oregon have responded to local demonstrators by deploying crowd control agents such as tear gas (CS gas), pepper spray, and potentially other, unidentified gases. At times, gases have been deployed on peaceful protesters with little or no prior notice, resulting in exposure to unknown chemical agents. We are extremely concerned about the potential environmental and public health impacts of these gas discharges, and we request your immediate attention to this matter.

Chemical hazard information for the chemical agents in CS gas warns of acute toxicity to aquatic life and advises that they should not enter sewers or surface/groundwater. Downtown Portland has not seen meaningful rainfall in the month of July while these chemicals have been sprayed repeatedly on demonstrators, and any surface accumulation of chemical elements deployed by officers has the concerning potential to wash directly into the Willamette River upon the next rainfall event. Beginning on July 28, 2020, personnel on federal courthouse grounds were seen hosing off the street with an unknown liquid, which is directly sending this surface accumulation into the storm drains and watershed.

In addition, the chemicals in CS gas are known to harm human skin and eyes and cause respiratory irritation. Numerous medical and public health professionals have noted that respiratory irritation from exposure to CS gas has the potential to increase risk for COVID-19. Oregon Public Broadcasting also recently interviewed over two dozen protesters who have provided examples of reproductive health impacts from CS gas, including uterine hemorrhaging.

Also beginning on July 28, 2020, protesters have reported exposure to a potentially different gas that has a chlorine smell, a green-yellow color, and that has resulted in serious physical reactions like nausea, vomiting, and lasting headaches. We are aware of some protesters who have needed medical assistance for serious physical reactions to this gas. These reports are deeply concerning.

While we work to stop the use of these gases altogether, we are also seeking greater transparency about what chemicals have been deployed to date against protesters in Portland, and potential impacts on human health, wildlife, aquatic life, and local air and water quality. To help us understand these impacts, please respond to the following questions no later than August 6, 2020:

1. What chemicals and/or gases have been deployed or utilized in the course of law enforcement activity in response to protests in Portland? Please include the number of grenades or cartridges attributable to each type of gas that has been discharged so that we can understand the volume of gases discharged.
2. What measures are being taken to comply with material data sheets and applicable usage guidelines for these chemicals?
3. Are any grenades or cartridges expired? If so, what are the health, safety, and environmental risks from using expired gases?
4. What environmental review and risk assessments for environmental and public health has EPA conducted regarding these chemicals and/or gases?
5. What air and water quality monitoring has been conducted in the area of these discharges, and what are the results to date?
6. What plans exist to clean up chemicals that have already been used? What protocols will guide this clean-up, how will this work be funded, and on what timeline?

We look forward to your prompt response.

Sincerely,



Karin Power
State Representative, Oregon House District 41



Earl Blumenauer
Member of Congress

CC:

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