



STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
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EARL RAY TOMBLIN
GOVERNOR

May 8, 2014

The Honorable Barack Obama
President of the United States
The White House
Washington, D.C. 20472

Through: Ms. MaryAnn Tierney
Regional Administrator
FEMA Region III

Dear Mr. President:

Please accept this letter as an appeal of the April 10, 2014 denial of my request for a major disaster declaration for the State of West Virginia as a result of the severe water outage following a chemical spill into the Elk River on January 9, 2014.

I dispute the determination that this water crisis does not meet the legal definition of a "major disaster" under 42 U.S.C. §5122. The effects of the leaching of thousands of gallons of Crude MCHM into the water supply of 300,000 West Virginians were compounded by the extreme weather experienced in January and February of this year. The extraordinarily harsh winter caused an unprecedented number of water pipes to burst, which significantly hindered the recovery process and prolonged the water outage.

In closing, the natural catastrophe of extreme winter weather conditions, including below-freezing temperatures and multiple snow storms, was responsible for the severity and duration of the water outage following the chemical spill. The water crisis, accordingly, falls under the definition of a major disaster pursuant to 42 U.S.C. §5122.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Earl Ray Tomblin".

Earl Ray Tomblin
Governor