



September 23, 2026

U.S. Environmental Protection Agency
Office of Inspector General, OIG Hotline (Mail Code 2431T)
1200 Pennsylvania Avenue NW
Washington, DC 20460

Hotline complaint regarding EPA's oversight of responsible-party environmental monitoring including false records by a contractor in the East Palestine, Ohio train derailment response; request for investigation based on the sworn disclosure of a former CTEH environmental scientist; and retaliation complaint under 41 U.S.C. Sec. 4712.

Dear Inspector General:

I. Nature of the complaint

The Government Accountability Project submits this hotline whistleblowing disclosure and retaliation complaint under 41 U.S.C. Sec. 4712 on behalf of Peggy Dixon, a whistleblower who served for five years as an Environmental Rapid Responder and Environmental Scientist II with the Center for Toxicology and Environmental Health (CTEH), the firm Norfolk Southern retained to conduct air, water, and indoor air monitoring after the February 3, 2023, derailment and the February 6, 2023, open burn of five vinyl chloride tank cars. She was deployed to East Palestine three times between February 2023 and September 2026 and performed essentially every category of work CTEH was responsible for at the site. Her account is set out in a sworn and notarized affidavit executed August 19, 2026.^{1 2}

Ms. Dixon charges that the monitoring program EPA co-authored, approved, and relied upon was operated to falsely produce non-detections rather than to accurately characterize contamination, and further, after roughly the first month of “monitoring” the EPA ceased exercising meaningful independent verification of the responsible party's data.

She seeks for the Office of Inspector General (OIG) to determine whether EPA's conduct in approving and relying on that program satisfied its obligations, including but not limited to those under CERCLA section 104(a)(1) and (b)(1) and the National Contingency Plan (NCP).

This filing also constitutes Ms. Dixon's retaliation complaint under 10 U.S.C. 4701. Ms. Dixon's attempts to ensure lawful compliance were shortly met by an aggressive retaliatory company response of reckless and dangerous assignments and changes in working conditions, as well as punitive removal of

¹ Affidavit of Peggy Dixon, Center for Toxicology and Environmental Health (CTEH) contractor, sworn and notarized August 19, 2026, Kenner, Louisiana [hereinafter Dixon Aff.], <https://whistleblower.org/wp-content/uploads/2026/09/Affidavit-of-Peggy-Dixon.pdf>



assignments. We ask the OIG to investigate retaliation the whistleblower faced, including but not limited to that after she insisted that three homes facing reoccurring basement flooding with contaminated creek water be considered a special circumstance. CTEH then reassigned her to Sulphur Run as the only CTEH worker among the responsible party's remedial crews in the most contaminated reach of the site.³

CTEH restricted her access to the project data system mid-deployment without explanation. Contrary to prior standard procedure, this restriction included denial of access to readings she and other CTEH employees had personally submitted. CTEH also instructed her and other colleagues not to use SLACK channels where readings are normally shared.⁴ The elevated readings she recorded inside the culvert beneath Sulphur Run, together with the contemporaneous note identifying who ordered her into that space, disappeared from the system entirely after she asked whether they had been received and reviewed.⁵

After East Palestine, a pattern and practice of retaliation developed against her and other colleagues who had concerns. CTEH stopped her deployments for months at a time and began calling less qualified Level D personnel ahead of her, even though she held a Level B certification and a science degree.⁶ She noted that CTEH demobilized or terminated colleagues who reported symptoms associated with the toxic burn and frequently never called back workers who sought emergency care. This scared her into avoiding the emergency room herself for fear of losing her position.⁷

This is not collateral to the data-integrity question presented below. CTEH engages its rapid responders on an as-needed basis, so the mechanism the affiant describes operates without a termination letter, a write-up, or any human resources record. If personnel who logged detections were removed from the deployment list while those who logged none were retained, the dataset that EPA approved and relied upon was shaped before it ever reached the agency. Section 110 of CERCLA bars any person from firing or otherwise discriminating against an employee because that employee provided information to a State or to the Federal Government, and it reaches private employers, not only federal ones.⁸ We ask the office to examine this conduct alongside the monitoring allegations that follow and which are comprehensively detailed in the whistleblower statement and exhibit packet, and to consider the treatment of field personnel who logged detections not only as retaliation, but as part of its assessment of the reliability of the data EPA accepted.

³ Dixon Aff. ¶ 3.9(B).

⁴ Dixon Aff. ¶ 3.9(C).

⁵ Dixon Aff. ¶ 3.9(D).

⁶ Dixon Aff. ¶ 3.9(A).

⁷ Dixon Aff. ¶¶ 3.8(A), 3.8(B).

⁸ Comprehensive Environmental Response, Compensation, and Liability Act § 110, 42 U.S.C. § 9610; see also Occupational Safety and Health Act § 11(c), 29 U.S.C. § 660(c).



II. Why this reaches EPA, not only the contractor

EPA is not a bystander to the practices described below. The agency co-authored and signed the site Health and Safety Plan, version 2.0, dated March 29, 2023, and approved CTEH's Air Sampling and Analysis Plan, version 2.1.^{9 10} Those documents established the detection framework, the action levels, and the protective-equipment baseline that governed every measurement taken at the site. EPA was also present and participated in side-by-side air sampling that employed fraudulent testing practices that downplayed or dismissed detections, including indoor air screening that wrongly told residents that it was safe to return home. EPA challenged CTEH's methods in the opening weeks, particularly in the choice to report in parts per million rather than parts per billion and then stopped. After closed-door meetings with Norfolk Southern and Unified Command, she observed EPA abandon parallel sampling, taking untrustworthy contractor data at face value, and eventually share field teams, vehicles, and the community air monitoring bus with the responsible party's contractor.¹¹ That is the opposite of the verification role she had seen EPA perform at other incidents.

III. Specific allegations warranting investigation

First, the agency relied on screening methods incapable of detecting contaminants of concern at health-relevant concentrations. Testing conducted for Unified Command and published by EPA establishes that the instruments used to monitor indoor air in East Palestine homes could not detect butyl acrylate at the concentration EPA itself identified as harmful. The agency's response coordinator stated that health effects from butyl acrylate begin at 20 parts per billion. EPA's own Unified Command warned that butyl acrylate is a known skin sensitizer, meaning each exposure can provoke a stronger reaction than the last, and that residents with asthma, emphysema, or chronic obstructive pulmonary disease were more likely to suffer symptoms or see their conditions worsen.¹² The performance assessment EPA published on September 8, 2023, found that every parts-per-billion PID model, the most sensitive instruments assessed, was unlikely or unable to respond at 22 ppb (0.022 ppm), that the ability to detect at 50 ppb could not be determined because the test cylinders were themselves contaminated with ethanol, and that confirmed response began only at a nominal 200 ppb, roughly ten times the threshold of concern.¹³ Earlier field work

⁹ Shanna Horvatin & Scott Skelton, East Palestine Train Derailment Site Unified Command Group Health and Safety Plan, Version 2.0, U.S. Env'tl. Prot. Agency & CTEH (Mar.29, 2023), <https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=P101DL03.txt>.

¹⁰ Ctr. for Toxicology & Env'tl. Health, LLC, Air Sampling and Analysis Plan (SAP), East Palestine Train Derailment Site, East Palestine, OH, Version 2.1, prepared on behalf of Norfolk Southern Railway Company, revised April 19, 2023, U.S. Env'tl. Prot. Agency, https://www.epa.gov/system/files/documents/2023-06/Air%20Sampling%20and%20Analysis%20Plan%20SAP_v2.1_20230419-508.pdf

¹¹ Dixon Aff. ¶¶ 2.8(A), 3.2(A).

¹² U.S. Environmental Protection Agency, "East Palestine, Ohio Train Derailment Unified Command Update," March 31, 2023, <https://www.epa.gov/system/files/documents/2023-03/East%20Palestine%20Ohio%20Train%20Derailment%20Unified%20Command%20Update.pdf>.

¹³ U.S. Env'tl. Prot. Agency, Performance Assessment for the Monitoring of Butyl Acrylate and Vinyl Chloride in Air Using Honeywell PIDs, East Palestine Train Derailment, Version 1.0.1, at 1, 48–50 (Sept. 8, 2023)



was worse. MultiRAE Pro units registered zero when 196 ppb butyl acrylate was delivered from gas cylinders, and a MultiRAE Pro exposed to 50 ppb butyl acrylate prepared aboard EPA's TAGA mobile laboratory gave no response even though the laboratory's mass spectrometer confirmed the gas was present."¹⁴

CTEH and EPA nonetheless screened more than 600 buildings with these devices in February and March 2023 and told residents to return home.¹⁵ Contemporaneous accounts describe operational failure. Eleven days after the derailment, contractors abandoned a building after ten minutes because of an overpowering odor while their approved handheld detectors registered nothing; independent sampling had already found butyl acrylate in that building above the two-week exposure level, and its indoor air remained contaminated more than four months later.¹⁶ EPA has since acknowledged in its after-the-fact assessment that the handhelds lacked sufficient sensitivity to measure butyl acrylate relative to the screening threshold set for public health.¹⁷ The assessment documenting these limits was prepared by CTEH, a principal user of the instruments, and reviewed by EPA and Norfolk Southern.

EPA also approved a control measure that acted directly on the warning signal the instruments could not supply. The Health and Safety Plan authorized the application of Acronal, a styrene-acrylate polymer marketed for industrial coatings and adhesives, to contaminated soil to break down butyl acrylate and reduce odor.¹⁸ The affiant attended meetings where the measure was discussed and observed the substance applied directly to the ground, and she states it was applied topically when air monitoring detected butyl acrylate above established action levels.¹⁹ EPA has since told a media outlet that the plan

https://www.epa.gov/system/files/documents/2023-11/butyl-acrylate-pid-assessment-report-v1.0.1_0.pdf [hereinafter PID Performance Assessment].

¹⁴ PID Performance Assessment, *supra* note 1, at 3–4 (citing U.S. Environmental Protection Agency, RAE Inventory and Testing (data spreadsheet)(2023)).

¹⁵ Reid Frazier, Scientist Questions EPA's Handling of East Palestine Cleanup," *Allegheny Front* (Jan. 26, 2024), <https://www.alleghenyfront.org/east-palestine-epa-cleanup-criticism-science/>.

¹⁶ Andrew Whelton, Toxic Chemicals from Ohio Train Derailment Lingered in Buildings for Months, *The Conversation*, (Sept. 30, 2024), <https://theconversation.com/toxic-chemicals-from-ohio-train-derailment-lingered-in-buildings-for-months-heres-what-our-investigation-found-in-east-palestine-238511>.

¹⁷ U.S. Envir. Prot. Agency, Performance Assessment for the Monitoring of Butyl Acrylate and Vinyl Chloride in Air Using Honeywell PIDs, East Palestine Train Derailment, Version 1.0.1 (Sept. 8, 2023), https://www.epa.gov/system/files/documents/2023-11/butyl-acrylate-pid-assessment-report-v1.0.1_0.pdf.

¹⁸ Shanna Horvatin & Scott Skelton, East Palestine Train Derailment Site Unified Command Group Health and Safety Plan, Version 2.0, U.S. Env'tl. Protection Agency & CTEH (Mar. 29, 2023), <https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=P101DL03.txt>.

¹⁹ Dixon Aff. ¶ 3.2(G).



contained a typographical error and that the product used was Acronel WS-27.²⁰ The agency has identified no contemporaneous correction to the plan, and the distinction does not reach the concern.

Neither product is a recognized vapor-suppression agent for open-air application to contaminated soil, and both work by masking odor rather than by degrading the contaminant.²¹ When readings exceed an action level, applying a film to the vapor-generating surface suppresses the measurement and the odor rather than the hazard. The tactic is a chemical coverup. An EPA record released under the Freedom of Information Act and dated August 22, 2023, states that vapor suppressant was in ongoing use to address odor and vapor issues associated with the derailment, excavation and stockpile, six months after the derailment.²²

*Second, Instruments were zeroed against ambient outdoor air, at times in the back of running trucks inside areas of known contamination, rather than against certified zero air of the grade federal regulation contemplates.*²³ Calibrating a contaminated baseline normalizes the instrument to the pollution it is meant to find. The affiant further states that no bump testing was performed during the early weeks of the response, and that it began only after outside inquiry. The affiant also states that instruments registering frequent detections were removed from service as overly sensitive, while instruments that consistently read zero were never questioned.²⁴

Third, reporting rules suppressed contamination that the instruments did capture. Field staff were required to maintain a reading above an action level for five minutes and obtain confirmation from a second technician before it could be recorded. Shorter excursions were discarded and averaged in non-detections.

Fourth, Staff were separately directed to attach an innocent explanation to any elevated reading indoors and in outdoor screenings. Repeatedly, volatile organic compound spikes in the creeks were attributed to longstanding legacy contamination or other sources unrelated to the derailment fires without confirmatory

²⁰ Government Accountability Project, Experts Raise Concerns After EPA Says It Used Acronel WS-27 in East Palestine, Press Release (Jan.29, 2026), <https://whistleblower.org/press/experts-raise-concerns-after-epa-says-it-used-acronel-ws-27-in-east-palestine/>

²¹ Government Accountability Project, Executive Summary: Norfolk Southern Train Derailment/East Palestine Health and Safety Plan (Jan. 2026), <https://whistleblower.org/wp-content/uploads/2026/01/HASP-Executive-Summary.pdf>.

²² U.S. Env'tl. Prot. Agency, "Vapor Suppressant Being Used, Formal RIF ED_013980Z_00004739 (Aug. 22, 2023), (released pursuant to FOIA and hosted by Government Accountability Project), available at , https://whistleblower.org/wp-content/uploads/2025/12/8.22.23-Vapor-suppressant-being-used-ED_013980Z_00004739_Formal_RIF.pdf (last visited Dec. 30, 2025).

²³ Zero air material, 40 C.F.R. § 72.2 (2025); see also Hazardous Waste Operations and Emergency Response, 29 C.F.R. § 1910.120 (2025).

²⁴ Dixon Aff. ¶ 3.2(E).



sampling. The affiant states that a portion of Sulphur Run where her instrument maxed out was roped off and later capped with concrete.²⁵

Fifth, physical evidence of the burn plume was collected and then never analyzed. On or about February 15, 2023, the affiant collected fallout ash from residential properties in western Pennsylvania under chain-of-custody, with a police escort and unused evidence bags. She was later told the samples were never sent to a laboratory because no agency or contractor would agree to own the results and the liability attached to them. Rainfall removed the remaining material within days. No chain-of-custody record, laboratory result, or acknowledgment of the samples survives in the response record.²⁶ Given EPA's later reporting of a maximum 2,3,7,8-TCDD concentration of 607 parts per trillion in soil, more than 126 times the agency's own 4.8 ppt regional screening level, the decision not to analyze burn residue is a material gap in the record.²⁷

Sixth, mass animal deaths were concealed in the presence of federal and state officials. The affiant was directed by her employer to cover terrestrial animal carcasses with branches or weighted bags before residents or media saw them, and to report only aquatic mortality. Freezers holding recovered animals at the water treatment plant later disappeared with no transfer record or necropsy follow-up, while public statements continued to describe impacts as limited to small aquatic life.²⁸

Sixth, contamination that crossed into Pennsylvania was placed outside the scope of the response. The affiant states she was instructed by Unified Command leadership, including EPA Region 5 and Ohio EPA, that responders had no business on the Pennsylvania side, that findings there were to be reported back to Ohio, and that Region 3 and the Pennsylvania Department of Environmental Protection were largely absent.²⁹ A removal action bounded by a state line rather than by the extent of contamination raises a direct question under the National Contingency Plan (NCP).³⁰ The NCP defines a response site by the areal extent of contamination, not by political boundaries, and requires the lead agency to weigh actual or potential exposure to nearby human populations in deciding whether and how to act, so a response that stopped at the Pennsylvania line while the contamination did not leaves open whether either standard was met.³¹

²⁵ Dixon Aff. ¶¶ 3.2(J)(I), 3.5(A)(I); see also Ohio Emergency Mgmt. Agency, East Palestine Update, Apr. 10, 2023, <https://ema.ohio.gov/media-publications/news/041023-east-palestine-update>.

²⁶ Dixon Aff. ¶ 3.3(E).

²⁷ U.S. Env'tl. Prot. Agency, Summary of Phase 1 Dioxin Results for the East Palestine Derailment Incident, (Sept. 14, 2023), <https://www.epa.gov/system/files/documents/2023-10/phase-1-soil-sampling-technical-memo-20230914pdf>.

²⁸ Dixon Aff. ¶ 3.4; Ohio Dep't of Nat. Res., Update on East Palestine Train Derailment Impact to Wildlife (Feb. 23, 2023), <https://ema.ohio.gov/media-publications/news/update-east-palestine-train-derailment-impact-wildlife-odnr>.

²⁹ Dixon Aff. ¶ 3.6.

³⁰ National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. pt. 300 (2025); Comprehensive Environmental Response, Compensation, and Liability Act § 104, 42 U.S.C. § 9604 (2025).

³¹ *Ibid.*



Seventh, the protective-equipment regime EPA signed left responders exposed. Level D remained the baseline, providing no respiratory protection and no chemical-resistant barrier, with any upgrade contingent on action-level readings taken on the instruments described above. The affiant states that respirator use was actively discouraged for public-relations reasons because photographs of masked workers contradicted the message that the air was safe.³² Personal exposure badges returned readings of zero regardless of conditions, including on occasions when she deliberately submerged a badge in visibly contaminated creek water or sealed suspected burn debris inside the sample bag.³³ A contemporaneous CTEH air-knifing report, which became public only after it was leaked to the Associated Press, recorded thirteen reported detections out of 3,047 real-time readings during a period in which multiple workers fell ill on site.³⁴

IV. Corroboration and pattern

This disclosure does not stand alone. It is consistent with the sworn account of Dr. Kevin Garrahan, a thirty-eight-year EPA Superfund scientist, and with the notarized affidavit of a former CTEH sampling technician describing the same instruction not to report detections during the Deepwater Horizon response.^{35 36}

On March 9, 2026, Judge John R. Adams of the Northern District of Ohio granted a motion to intervene on behalf of East Palestine residents Robert Figley and Barbara Adams, allowing them to join the federal litigation against Norfolk Southern and to raise concerns about environmental testing, contamination levels, and the adequacy of the proposed consent decree.³⁷ The evidence before the court includes a declaration by independent scientist Scott Smith showing dioxin levels in East Palestine increasing by 350 percent from 2023 to August 2025, a declaration from Certified Industrial Hygienist Stephen Petty stating that Norfolk Southern disregarded prevailing wind patterns and drew baseline dioxin samples from areas the plume had already reached, and records the Government Accountability Project obtained under

³² Dixon Aff. ¶¶ 3.7(A) and (B); Health and Safety Plan v2.0, *supra* note 2.

³³ Dixon Aff. ¶¶ 3.7(D), 3.7(E).

³⁴ Associated Press, Hidden Report Reveals How Workers Got Sick While Cleaning East Palestine Creeks, AP News (Aug. 14, 2024), <https://apnews.com/article/east-palestine-ohio-railroad-train-wreck-epa-f2cf628d79c47e265539e98032390f3f>.

³⁵ Kevin G. Garrahan, Affidavit of Kevin G. Garrahan Regarding the Environmental Response to the Train Derailment in East Palestine on February 3, 2023 (confidential disclosure to the U.S. Office of Special Counsel, Feb. 24, 2025), <https://whistleblower.org/wp-content/uploads/2025/04/Kevin-Garrahan-Signed-Affidavit-022225.pdf>.

³⁶ Government Accountability Project, Notarized Affidavit of Vincent Aguilar (Former CTEH Sampling Technician) Regarding Instructions Not to Report Detections during the Deepwater Horizon Spill, <https://whistleblower.org/wp-content/uploads/2026/04/Notarized-Affidavit-Vincent-Aguilar.pdf>.

³⁷ Government Accountability Project, District Judge Grants Motion to Intervene in Federal Consent Decree Against Norfolk Southern, Press Release (Mar. 9, 2026), <https://whistleblower.org/east-palestine/district-judge-grants-motion-to-intervene-in-federal-consent-decree-against-norfolk-southern/>.



the Freedom of Information Act.³⁸ The EPA records show that the agency permitted Norfolk Southern's contractor Arcadis to use methods that missed or understated detections, and then adopted the resulting data as its own.³⁹ The FEMA records show that state and federal officials discussed internally that the plumes would produce cancer clusters in East Palestine, and chose not to tell the public.⁴⁰

This is not the first time Government Accountability Project has asked the Office of Inspector General to examine EPA's reliance on responsible-party contractors in East Palestine. On December 12, 2024, the organization filed a Hotline complaint built on a legally recorded August 8, 2024 conversation in which Mark Durno, EPA Region 5 On Scene Coordinator, told an East Palestine resident that the data collected by Norfolk Southern's contractors was sound but that their conclusions were not trustworthy, that Arcadis and CTEH would soften the language and make it more friendly to the client, and that contractor reports were written to reduce the responsible party's contribution to liability. To Government Accountability Project's knowledge, the Office of Inspector General did not open an investigation in response to that complaint.^{41 42}

Additionally, three developments since this complaint was prepared bear on the same pattern.

On August 25, 2026, the Wall Street Journal reported residents' accounts that officials downplayed the risks they faced, an account consistent with the affiant's description of a response managed for reassurance rather than characterization.⁴³ Additionally, NewsNation obtained soil and water results from Government Accountability Project whistleblower and environmental scientist Stephen Petty, which class-action counsel had withheld from their own clients during the \$600 million Norfolk Southern settlement.⁴⁴ The reports showed dioxins and polycyclic aromatic hydrocarbons above screening levels

³⁸ Order, *State of Ohio v. Norfolk Southern Corp.*, No. 4:23-cv-00517-JRA (N.D. Ohio Mar. 9, 2026), ECF No. 301, <https://whistleblower.org/wp-content/uploads/2026/03/Motion-to-Intervene-Granted-Consent-Decree-141114185563-3-9-2026.pdf>.

³⁹ Government Accountability Project, Uncovered EPA Letter Reveals EPA Negligence in Allowing Flawed Norfolk Southern Testing in East Palestine, Press Release (July 15, 2025), <https://whistleblower.org/press/uncovered-epa-letter-reveals-epa-negligence-in-allowing-flawed-norfolk-southern-testing-in-east-palestine/>.

⁴⁰ Mandy Taheri, Biden Admin Accused of Covering Up Cancer Clusters in East Palestine, Newsweek (June 1, 2025), <https://www.newsweek.com/biden-admin-accused-covering-cancer-clusters-east-2079565>.

⁴¹ Lesley Pacey, Senior Environmental Officer, Government Accountability Project, to Sean O'Donnell, Inspector General, U.S. Environmental Protection Agency, December 12, 2024, "Re: Hotline Complaint regarding EPA Official Mark Durno Dubbing Norfolk Southern Environmental Contractors' Reports 'Untrustworthy' Warrants Investigation," <https://whistleblower.org/wp-content/uploads/2024/12/EPA-Office-of-Inspector-General-Hotline-Complaint-EPA-bias-in-East-Palestine.pdf>.

⁴² Mark Durno, Recorded Remarks, East Palestine, Ohio (Aug. 8, 2024) (audio recording), https://whistleblower.org/wp-content/uploads/2024/12/Mark_Durno_08-08-24_Recording.m4a. [Confirm speaker's title and the timestamp of the 20 ppb statement.]

⁴³ Kris Maher & Esther Fung, Officials Played Down Risks in Ohio Train Disaster, Residents Now Say, Wall St. J. (Aug. 25, 2026), <https://www.wsj.com/us-news/officials-played-down-risks-in-ohio-train-disaster-residents-now-say-6acaed72>.

⁴⁴ Rich McHugh, East Palestine Report Kept from Residents Released, Shows Toxic Levels in the Town, NewsNation (Aug. 25, 2026), <https://www.newsnationnow.com/us-news/midwest/ohio-train-derailment/east-palestine-report-revealed-toxic-steven-petty/>.



and consistent with another Government Accountability Project whistleblower and independent scientist Scott Smith's findings, News Nation reported on August 25, 2026.⁴⁵ Smith recently found soil dioxin levels in East Palestine had increased from 2023 to August 2025 by 350 percent.⁴⁶ Nearly ninety residents are now seeking to rescind their participation in that settlement.

On August 28, 2026, the Vice President and the EPA Administrator jointly asked this office to conduct a comprehensive and independent investigation of the response, citing records showing that federal modeling projected roughly eighteen thousand people exposed at levels that could produce at least severe injury.^{47 48}

That request covers the same response, and the same reliance on responsible-party contractors, that Government Accountability Project's December 2024 complaint placed before this office, so any investigation of the response must reach the questions that complaint raised and that, to Government Accountability Project's knowledge, this office has not yet examined.

The affiant disclosure provides the field-level account of how such a record came to be generated, and it is offered in support of the investigation this office has now been asked to conduct. The affiant also documents the same methodology at the January 2025 Vistra battery fire in Moss Landing, California, where the sampling plan omitted dioxins, PFAS, polycyclic aromatic hydrocarbons, and semi-volatile organics, set no method detection limits, included no indoor, surface, or biomonitoring despite shelter-in-place advisories, and routed exceedances internally rather than to the public.⁴⁹ This complaint

⁴⁵ *Ibid.*

⁴⁶ Government Accountability Project, New Documents Reveal Deep Flaws in Norfolk Southern's Dioxin Soil Sampling Plan, Press Release (Feb. 3, 2026), updated Mar. 6, 2026, <https://whistleblower.org/press/new-documents-reveal-deep-flaws-in-norfolk-southerns-dioxin-soil-sampling-plan/>.

⁴⁸ Sarah Davis, Vance, Zeldin Ask for EPA Probe into East Palestine Train Derailment Response, The Hill (Aug. 28, 2026), <https://thehill.com/homenews/administration/6058719-vance-zeldin-epa-probe-ohio-derailment/>.

⁴⁹ CTEH, LLC, Draft Community Air Monitoring, Sampling, and Analysis Plan: Moss Landing Incident, Moss Landing, California (prepared for Vistra Corp.) (Feb. 17, 2025), https://whistleblower.org/wp-content/uploads/2026/03/Moss-LandingDRAFT_Community_Air_Monitoring_Sampling_and_Analysis_Plan_25-02-17.pdf.



supplements, and does not duplicate, the hotline complaint this organization filed in December 2024, or your office's recent findings on EPA's own airborne chemical sensing capability.^{50 51 52 53}

V. Requested action

We ask the Office of Inspector General to open an investigation and to interview the affiant. We further ask the office to obtain and examine the raw, unaggregated real-time monitoring records and their edit histories for every instrument deployed at the site, including records the affiant states were submitted and later disappeared from the data system; to determine whether EPA conducted any independent parallel sampling after March 2023 and, if so, whether those results were published; to obtain any records concerning the ash samples collected in western Pennsylvania in February 2023; to identify who authorized the placement of concrete over the affected reach of Sulphur Run; to determine which vapor-suppression product was applied, in what quantity, on what dates and at what locations, whether any correction to the Health and Safety Plan was ever issued, and whether anyone evaluated the effect of the application on photoionization detector readings; and to assess whether EPA's approval of the Health and Safety Plan and Sampling and Analysis Plan, and its reliance on responsible-party data generated under them, complied with CERCLA section 104(a)(1) and (b)(1) and 40 C.F.R. part 300. The foundation for all our requests is that pursuant to Section 4712 the OIG investigate the illegal retaliation against Ms. Dixon.

Because the affiant is a former employee of a private contractor rather than a federal employee, we ask that the office coordinate any contact with her through the undersigned and treat her contact information as protected from disclosure. She has no nondisclosure agreement with CTEH and is prepared to speak on the record.

Respectfully submitted,

/s/ Lesley Pacey

Senior Environmental Officer, Environment, Energy and Climate Change Campaign
Government Accountability Project

⁵⁰ Government Accountability Project, EPA Office of Inspector General Hotline Complaint: EPA Bias in East Palestine (Dec. 2024), <https://whistleblower.org/wp-content/uploads/2024/12/EPA-Office-of-Inspector-General-Hotline-Complaint-EPA-bias-in-East-Palestine.pdf>.

⁵¹ Government Accountability Project, EPA Official's Recorded Admissions Prompt Investigation Request in East Palestine, Press Release (Dec. 12, 2024), <https://whistleblower.org/press-release/epa-officials-recorded-admissions-prompts-investigation-request-in-east-palestine/>.

⁵² U.S. Env'tl. Prot. Agency, Off. of Inspector General, Management Alert: Evaluation of the ASPECT Aircraft's Chemical-Sensing Capability, Report No. 26-E-0038 (June 23, 2026), https://www.oversight.gov/sites/default/files/documents/reports/2026-06/_epaoig_20260623-26-e-0038_cert_0.pdf.

⁵³ U.S. Env'tl. Prot. Agency, Off. of Inspector Gen., Notification: Evaluation of EPA Policies, Procedures, and Processes for ASPECT Flight Missions, Project No. OSRE-FY24-0103 (July 16, 2024) (memorandum), https://www.epa.gov/system/files/documents/2026-01/aspect_hotline_notification_memo_07-16-24.pdf



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Enclosure: Affidavit of Peggy Dixon, sworn and notarized August 19, 2026, with exhibit packet and supplemental affidavit signed September 22, 2026.