

Brian Moynihan
CEO
Bank of America Corporation
100 North Tryon Street
Charlotte, NC 28255
4/15/2024

Dear Mr. Moynihan,

The undersigned investors with \$72 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request Bank of America not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to Bank of America's environmental and social commitments. Bank of America's Environmental and Social Risk Policy Framework commits the bank to "fair, ethical, and responsible business practices, as we engage with our employees, clients, third parties and communities around the world" and to "focusing our efforts, dedicating resources, and collaborating with others to address systemic racism and to remove barriers to equality and economic opportunity for Black and Hispanic-Latino communities."¹ And the bank's Human Rights Statement outlines that as part of its enhanced due diligence to assess heightened human rights risks "we pay attention to individuals or groups who may be at greater risk of negative human rights impacts due to their vulnerability or marginalization..."² Bank of America could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.³ A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.⁴ And toxic air pollution in the area is rising as more plants are built (seven since 2015).⁵ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.⁶

¹ [Bank of America Corporation Environmental and Social Risk Policy \(ESRP\) Framework](#)

² <https://about.bankofamerica.com/content/dam/about/pdfs/human-rights-statement.pdf>

³ <https://projects.propublica.org/toxmap/>

⁴ <https://iopscience.iop.org/article/10.1088/1748-9326/ac4360#erlac4360s1>

⁵ <https://www.propublica.org/article/welcome-to-cancer-alley-where-toxic-air-is-about-to-get-worse>

⁶ <https://www.ohchr.org/en/press-releases/2021/03/usa-environmental-racism-cancer-alley-must-end-experts?LangID=E&NewsID=26824>

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,⁷ and the EPA recently sued Cancer Alley neoprene producer Denka, “alleging that it presents an unacceptable cancer risk to the nearby majority-Black community.”⁸ A renewed focus on toxic emissions along the lower Mississippi would heighten Formosa Plastics’ already significant potential regulatory risk.

Formosa Plastics Group has a well-documented track record of safety and environmental offenses,⁹ most recently paying a \$50 million settlement for its plastic pollution discharges into waterways in Texas as well as a \$2.85 million fine for “violations of the chemical accident prevention provisions of the Clean Air Act.”¹⁰ Although the settlement included a mandate for zero-discharge of plastic, the Point Comfort, Texas plant has racked up penalties of \$14.178 million for 563 violations since the settlement went into effect February 2020.¹¹ Since June 2021, the facility has been tested three times per week, with each test confirming ongoing violations.¹² Formosa Plastics was also in the news following the East Palestine derailment as the largest emitter of vinyl chloride in the United States—raising the specter of reputational risk as the public focuses on emissions from plastic plants following the disaster.¹³ Formosa Plastics Group’s steel subsidiary paid the Vietnamese government \$500 million after a steel mill caused “one of the largest environmental disasters in Vietnam’s history” following a 2016 toxic chemical spill.¹⁴ Tragically, thousands of victims have yet to receive compensation, Formosa Ha Tinh Steel continues to deny an independent environmental study on the current status of marine pollution, and 23 individuals are currently imprisoned for speaking out about the ongoing injustice.

The Sunshine Project could also pose risks to historic burial sites of enslaved people. An independent investigation found two cemeteries located within the project’s remit and although Formosa Plastics was aware of these sites it did not inform community members of the findings.¹⁵

Supporting the expansion of petrochemical infrastructure through direct project finance or indirect corporate finance could also contradict Bank of America’s pledge to reach net zero emissions by 2050.

⁷ <https://apnews.com/article/louisiana-discrimination-race-and-ethnicity-racial-injustice-fafd08c5dbbda68250b916709dc18ef9>

⁸ <https://apnews.com/article/epa-chloroprene-cancer-lawsuit-louisiana-1a57d0402a144bfa4da5d939b34ae6ea>

⁹ See this October 2021 report from the Center for International Environmental Law (CIEL), the Center for Biological Diversity, and Earthworks for a more comprehensive accounting of Formosa’s lackluster environmental and human rights record. <https://www.ciel.org/reports/formosa-plastics-group-a-serial-offender-of-environmental-and-human-rights/>

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<https://www.justice.gov/opa/pr/texas-plastics-corporation-will-pay-nearly-3-million-violating-clean-air-act>

¹¹ <https://www.theguardian.com/us-news/2019/dec/18/louisiana-pollution-petrochemical-site-sunshine-project>

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<https://ccrjustice.org/sites/default/files/attach/2020/03/St.%20James%20Cemeteries%20%28Reduced%29%20%281%29.pdf>

¹³ <https://www.cbsnews.com/news/vinyl-chloride-ohio-train-derailment-thousands-pounds-released-annually-plastics/> Research suggests that even .08 ppm of vinyl chloride exposure could be harmful to human health.

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Sincerely,

Investor Organizations:

CorpGov.net
Nugent Properties
Seva Foundation
Sisters of Charity of Saint Elizabeth
Sisters of St. Francis of Oldenburg, IN
Congregation of Holy Cross, Moreau Province
Dominican Sisters ~ Grand Rapids
Sisters of the Humility of Mary
Dominican Sisters of Sparkill
Sisters of Charity of New York
Sisters of St. Francis of Philadelphia
Sierra Club Foundation
Sisters of the Holy Names of Jesus & Mary U.S.-Ontario Province
Jesuits of the US Central and Southern Province
Maryknoll Sisters
Harrington Investments, Inc.
Nathan Cummings Foundation
School Sisters of Notre Dame Collective Investment Fund
First Affirmative
Zevin Asset Management
United Church Funds
Natural Investments
Trillium
Everence Financial

¹⁶<https://www.oliverwyman.com/our-expertise/insights/2022/jan/chemical-industry-outlook-for-2022-and-beyond.html>

Dana Investment Advisors
Investor Advocates for Social Justice
Future Group
Committee on Mission Responsibility Through Investment of the Presbyterian Church (U.S.A.)
Trinity Health
Parnassus Investments

Endorsing NGOs and National Organizations:

350Brooklyn
Alabama Interfaith Power & Light
As You Sow
Break Free From Plastic
BYO - US Reduces
Clean Energy Action
Clean Production Action
Climate Conversation Brazoria County
Climate Defenders
CO Dem. Party - Energy and Environment Committee
Defend Our Health
Earthworks
Empower our Future
Friends of the Earth
For a Better Bayou
GreenFaith
Habitat Recovery Project
HCCA
IHM Sisters
Independent Consultant
Ingleside on the Bay Coastal Watch Association
Jussara Lee
Justice For Formosa Victims
M-W & Associates Environmental Policy Group
Micah Six Eight Mission
North American Marine Alliance
Northwest Coalition for Responsible Investment
PEHKA
Presente.org
Rainforest Action Network
Region VI Coalition for Responsible Investment
RISE St. James

San Antonio Bay Estuarine Waterkeeper
Sisters of Notre Dame de Namur - Ohio
Sisters of St. Dominic of Blauvelt, NY
Sisters of St. Joseph of Peace
Sisters of St. Joseph of Peace, WA
Sisters of the Sacred Heart of Mary.-- Eastern American Area Council
Stand.earth
Sunrise Project
Texas Campaign for the Environment
The Last Beach Cleanup
The People's Justice Council
The YEARS Project
Tulipshare
Turtle Island Restoration Network
University of California, Irvine
USA East Province of the Society of Jesus
Women's Earth and Climate Action Network (WECAN), International
Zero Waste Ithaca

Jane Fraser
CEO
Citigroup Inc.
388 Greenwich St.
New York, NY 10013
4/15/2024

Dear Ms. Fraser,

The undersigned investors with \$107 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request Citigroup not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to Citigroup's environmental and social commitments. Citigroup commits the bank to advancing solutions that address climate change in support of the transition to a low-carbon economy. The company also commits to human rights due diligence on client activities to identify, mitigate and prevent potential adverse human rights impacts.¹⁷ Citigroup could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.¹⁸ A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.¹⁹ And toxic air pollution in the area is rising as more plants are built (seven since 2015).²⁰ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.²¹

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,²² and the EPA recently sued Cancer Alley neoprene producer Denka, "alleging that it presents an unacceptable cancer risk to the nearby majority-Black community."²³ A renewed

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²² <https://apnews.com/article/louisiana-discrimination-race-and-ethnicity-racial-injustice-fafd08c5dbbda68250b916709dc18ef9>

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focus on toxic emissions along the lower Mississippi would heighten Formosa Plastics' already significant potential regulatory risk.

Formosa Plastics Group has a well-documented track record of safety and environmental offenses,²⁴ most recently paying a \$50 million settlement for its plastic pollution discharges into waterways in Texas as well as a \$2.85 million fine for "violations of the chemical accident prevention provisions of the Clean Air Act."²⁵ Although the settlement included a mandate for zero-discharge of plastic, the Point Comfort, Texas plant has racked up penalties of \$14.178 million for 563 violations since the settlement went into effect February 2020.²⁶ Since June 2021, the facility has been tested three times per week, with each test confirming ongoing violations.²⁷ Formosa Plastics was also in the news following the East Palestine derailment as the largest emitter of vinyl chloride in the United States—raising the specter of reputational risk as the public focuses on emissions from plastic plants following the disaster.²⁸ Formosa Plastics Group's steel subsidiary paid the Vietnamese government \$500 million after a steel mill caused "one of the largest environmental disasters in Vietnam's history" following a 2016 toxic chemical spill.²⁹ Tragically, thousands of victims have yet to receive compensation, Formosa Ha Tinh Steel continues to deny an independent environmental study on the current status of marine pollution, and 23 individuals are currently imprisoned for speaking out about the ongoing injustice.

The Sunshine Project could also pose risks to historic burial sites of enslaved people. An independent investigation found two cemeteries located within the project's remit and although Formosa Plastics was aware of these sites it did not inform community members of the findings.³⁰

Supporting the expansion of petrochemical infrastructure through direct project finance or indirect corporate finance could also contradict Citigroup's pledge to reach net zero emissions by 2050. Chemical sector emissions have increased in recent years, and a significant rise in demand is forecasted. One estimate found that the sector must decrease scope 1 emissions by 46% by 2030 in order to keep global warming at 1.5 degrees.³¹ Assessment of environmental and human rights risks is not only becoming best practice for financiers, but necessary due diligence. Although the Sunshine Project has been temporarily halted in the courts, we urge Citigroup to publicly commit to not financing the project and

²⁴ See this October 2021 report from the Center for International Environmental Law (CIEL), the Center for Biological Diversity, and Earthworks for a more comprehensive accounting of Formosa's lackluster environmental and human rights record. <https://www.ciel.org/reports/formosa-plastics-group-a-serial-offender-of-environmental-and-human-rights/>

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to cease all financial relationships with Formosa Plastics Group and its subsidiaries given the company's clear environmental and human rights harms. We also encourage Citigroup to revisit its due diligence policies related to environmental racism.

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Sisters of Mary Reparatrix

Dominican Sisters ~ Grand Rapids

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Sisters of St. Francis of Philadelphia

Sierra Club Foundation

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Jesuits of the US Central and Southern Province

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Alabama Interfaith Power & Light

As You Sow

Break Free From Plastic

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Clean Energy Action
Clean Production Action
Climate Conversation Brazoria County
Climate Defenders
CO Dem. Party - Energy and Environment Committee
Defend Our Health
EARTHDAY.ORG
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For a Better Bayou
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RISE St. James
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Sisters of St. Joseph of Peace
Sisters of St. Joseph of Peace, WA
Sisters of the Sacred Heart of Mary.-- Eastern American Area Council
Stand.earth
Sunrise Project
Texas Campaign for the Environment
The Last Beach Cleanup
The People's Justice Council
The YEARS Project
Tulipshare
Turtle Island Restoration Network

University of California, Irvine

USA East Province of the Society of Jesus

Women's Earth and Climate Action Network (WECAN), International

Zero Waste Ithaca

David M. Solomon
CEO
Goldman Sachs Group, Inc.
200 West St
New York, NY 10282
4/12/2024

Dear Mr. Solomon,

The undersigned investors with \$67 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request Goldman Sachs not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to Goldman Sachs' environmental and social commitments. Goldman Sachs' Statement on Human Rights commits to human rights due diligence on client activities to identify, mitigate and prevent potential adverse human rights impacts. Goldman Sachs could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.³² A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.³³ And toxic air pollution in the area is rising as more plants are built (seven since 2015).³⁴ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.³⁵

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,³⁶ and the EPA recently sued Cancer Alley neoprene producer Denka, "alleging that it presents an unacceptable cancer risk to the nearby majority-Black community."³⁷ A renewed

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Organizational Signers

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Jesuits of the US Central and Southern Province

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Tulipshare

Turtle Island Restoration Network

University of California, Irvine

USA East Province of the Society of Jesus

Women's Earth and Climate Action Network (WECAN), International

Zero Waste Ithaca

Jamie Dimon
CEO
JPMorgan Chase & Co
383 Madison Avenue
New York, New York 10179

4/15/2024

Dear Mr. Dimon,

The undersigned investors with \$67 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request JPMorgan Chase not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to JPMorgan's environmental and social commitments. In 2020, JPMorgan Chase committed \$30 billion Racial Equity to help close the racial wealth gap and advance economic inclusion among Black, Hispanic and Latino customers and communities. And JPMorgan commits in its Human Rights Statement in its client relationships to "seek to incorporate respect for human rights and demonstrate a commitment to fundamental principles of human rights through our own behavior."⁴⁶

JPMorgan could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.⁴⁷ A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.⁴⁸ And toxic air pollution in the area is rising as more plants are built (seven since 2015).⁴⁹ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.⁵⁰

⁴⁶ <https://www.jpmorganchase.com/about/our-business/human-rights>

⁴⁷ <https://projects.propublica.org/toxmap/>

⁴⁸ <https://iopscience.iop.org/article/10.1088/1748-9326/ac4360#erlac4360s1>

⁴⁹ <https://www.propublica.org/article/welcome-to-cancer-alley-where-toxic-air-is-about-to-get-worse>

⁵⁰ <https://www.ohchr.org/en/press-releases/2021/03/usa-environmental-racism-cancer-alley-must-end-experts?LangID=E&NewsID=26824>

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,⁵¹ and the EPA recently sued Cancer Alley neoprene producer Denka, “alleging that it presents an unacceptable cancer risk to the nearby majority-Black community.”⁵² A renewed focus on toxic emissions along the lower Mississippi would heighten Formosa Plastics’ already significant potential regulatory risk.

Formosa Plastics Group has a well-documented track record of safety and environmental offenses,⁵³ most recently paying a \$50 million settlement for its plastic pollution discharges into waterways in Texas as well as a \$2.85 million fine for “violations of the chemical accident prevention provisions of the Clean Air Act.”⁵⁴ Although the settlement included a mandate for zero-discharge of plastic, the Point Comfort, Texas plant has racked up penalties of \$14.178 million for 563 violations since the settlement went into effect February 2020.⁵⁵ Since June 2021, the facility has been tested three times per week, with each test confirming ongoing violations.⁵⁶ Formosa Plastics was also in the news following the East Palestine derailment as the largest emitter of vinyl chloride in the United States—raising the specter of reputational risk as the public focuses on emissions from plastic plants following the disaster.⁵⁷ Formosa Plastics Group’s steel subsidiary paid the Vietnamese government \$500 million after a steel mill caused “one of the largest environmental disasters in Vietnam’s history” following a 2016 toxic chemical spill.⁵⁸ Tragically, thousands of victims have yet to receive compensation, Formosa Ha Tinh Steel continues to deny an independent environmental study on the current status of marine pollution, and 23 individuals are currently imprisoned for speaking out about the ongoing injustice.

The Sunshine Project could also pose risks to historic burial sites of enslaved people. An independent investigation found two cemeteries located within the project’s remit and although Formosa Plastics was aware of these sites it did not inform community members of the findings.⁵⁹

Supporting the expansion of petrochemical infrastructure through direct project finance or indirect corporate finance could also contradict JPMorgan’s pledge to reach net zero emissions by 2050.

⁵¹ <https://apnews.com/article/louisiana-discrimination-race-and-ethnicity-racial-injustice-fafd08c5dbbda68250b916709dc18ef9>

⁵² <https://apnews.com/article/epa-chloroprene-cancer-lawsuit-louisiana-1a57d0402a144bfa4da5d939b34ae6ea>

⁵³ See this October 2021 report from the Center for International Environmental Law (CIEL), the Center for Biological Diversity, and Earthworks for a more comprehensive accounting of Formosa’s lackluster environmental and human rights record. <https://www.ciel.org/reports/formosa-plastics-group-a-serial-offender-of-environmental-and-human-rights/>

⁵⁴ <https://coast.noaa.gov/states/stories/historic-pollution-settlement-to-nurdle-patrol.html>, <https://www.justice.gov/opa/pr/texas-plastics-corporation-will-pay-nearly-3-million-violating-clean-air-act>

⁵⁵ <https://www.theguardian.com/us-news/2019/dec/18/louisiana-pollution-petrochemical-site-sunshine-project>

⁵⁶

<https://ccrjustice.org/sites/default/files/attach/2020/03/St.%20James%20Cemeteries%20%28Reduced%29%20%281%29.pdf>

⁵⁷ <https://www.cbsnews.com/news/vinyl-chloride-ohio-train-derailment-thousands-pounds-released-annually-plastics/> Research suggests that even .08 ppm of vinyl chloride exposure could be harmful to human health.

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Chemical sector emissions have increased in recent years, and a significant rise in demand is forecasted. One estimate found that the sector must decrease scope 1 emissions by 46% by 2030 in order to keep global warming at 1.5 degrees.⁶⁰ Assessment of environmental and human rights risks is not only becoming best practice for financiers, but necessary due diligence. Although the Sunshine Project has been temporarily halted in the courts, we urge JPMorgan to publicly commit to not financing the project and to cease all financial relationships with Formosa Plastics Group and its subsidiaries given the company's clear environmental and human rights harms. We also encourage JPMorgan to revisit its due diligence policies related to environmental racism.

Sincerely,

Organizational Signers

JP Morgan Chase

Investor Organizations:

CorpGov.net
Nugent Properties
Seva Foundation
Sisters of Charity of Saint Elizabeth
Sisters of St. Francis of Oldenburg, IN
Congregation of Holy Cross, Moreau Province
Sisters of Mary Reparatrix
Dominican Sisters ~ Grand Rapids
Sisters of the Humility of Mary
Dominican Sisters of Sparkill
Sisters of Charity of New York
Sisters of St. Francis of Philadelphia
Sierra Club Foundation
Sisters of the Holy Names of Jesus & Mary U.S.-Ontario Province
Jesuits of the US Central and Southern Province
Maryknoll Sisters
Harrington Investments, Inc.
Nathan Cummings Foundation
First Affirmative
Zevin Asset Management
United Church Funds
Natural Investments
Everence Financial

⁶⁰<https://www.oliverwyman.com/our-expertise/insights/2022/jan/chemical-industry-outlook-for-2022-and-beyond.html>

Dana Investment Advisors
Investor Advocates for Social Justice
Future Group
Committee on Mission Responsibility Through Investment of the Presbyterian Church (U.S.A.)
Trinity Health

Endorsing NGOs and National Organizations

350Brooklyn
Alabama Interfaith Power & Light
As You Sow
Break Free From Plastic
BYO - US Reduces
Clean Energy Action
Clean Production Action
Climate Conversation Brazoria County
Climate Defenders
CO Dem. Party - Energy and Environment Committee
Defend Our Health
Disability Peoples Forum Uganda
Earthworks
Empower our Future
Friends of the Earth
For a Better Bayou
GreenFaith
Habitat Recovery Project
HCCA
IHM Sisters
Independent Consultant
Ingleside on the Bay Coastal Watch Association
Jussara Lee
Justice For Formosa's victims
M-W & Associates Environmental Policy Group
Micah Six Eight Mission
North American Marine Alliance
Northwest Coalition for Responsible Investment
Northwest Women Religious Investment Trust
PEHKA
Presente.org
Rainforest Action Network
Region VI Coalition for Responsible Investment
RISE St. James
San Antonio Bay Estuarine Waterkeeper

Sisters of Notre Dame de Namur - Ohio
Sisters of St. Dominic of Blauvelt, NY
Sisters of St. Joseph of Peace
Sisters of St. Joseph of Peace, WA
Sisters of the Sacred Heart of Mary.-- Eastern American Area Council
Stand.earth
Sunrise Project
Texas Campaign for the Environment
The Last Beach Cleanup
The People's Justice Council
The YEARS Project
Tulipshare
Turtle Island Restoration Network
University of California, Irvine
USA East Province of the Society of Jesus
Women's Earth and Climate Action Network (WECAN), International
Zero Waste Ithaca

Ted Pick
CEO
Morgan Stanley
1585 Broadway
New York, NY 10036
4/19/2024

Dear Mr. Pick,

The undersigned investors with \$107 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request Morgan Stanley not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to Morgan Stanley's environmental and social commitments. Morgan Stanley is committed to "being a responsible corporate citizen, respecting human rights and supporting the protection and advancement of human rights."⁶¹ The company has also committed to intersectional work on racial equity. Morgan Stanley could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.⁶² A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.⁶³ And toxic air pollution in the area is rising as more plants are built (seven since 2015).⁶⁴ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.⁶⁵

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,⁶⁶ and the EPA recently sued Cancer Alley neoprene producer Denka, "alleging that it presents an unacceptable cancer risk to the nearby majority-Black community."⁶⁷ A renewed

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focus on toxic emissions along the lower Mississippi would heighten Formosa Plastics' already significant potential regulatory risk.

Formosa Plastics Group has a well-documented track record of safety and environmental offenses,⁶⁸ most recently paying a \$50 million settlement for its plastic pollution discharges into waterways in Texas as well as a \$2.85 million fine for "violations of the chemical accident prevention provisions of the Clean Air Act."⁶⁹ Although the settlement included a mandate for zero-discharge of plastic, the Point Comfort, Texas plant has racked up penalties of \$14.178 million for 563 violations since the settlement went into effect February 2020.⁷⁰ Since June 2021, the facility has been tested three times per week, with each test confirming ongoing violations.⁷¹ Formosa Plastics was also in the news following the East Palestine derailment as the largest emitter of vinyl chloride in the United States—raising the specter of reputational risk as the public focuses on emissions from plastic plants following the disaster.⁷² Formosa Plastics Group's steel subsidiary paid the Vietnamese government \$500 million after a steel mill caused "one of the largest environmental disasters in Vietnam's history" following a 2016 toxic chemical spill.⁷³ Tragically, thousands of victims have yet to receive compensation, Formosa Ha Tinh Steel continues to deny an independent environmental study on the current status of marine pollution, and 23 individuals are currently imprisoned for speaking out about the ongoing injustice.

The Sunshine Project could also pose risks to historic burial sites of enslaved people. An independent investigation found two cemeteries located within the project's remit and although Formosa Plastics was aware of these sites it did not inform community members of the findings.⁷⁴

Supporting the expansion of petrochemical infrastructure through direct project finance or indirect corporate finance could also contradict Morgan Stanley's pledge to reach net zero emissions by 2050. Chemical sector emissions have increased in recent years, and a significant rise in demand is forecasted. One estimate found that the sector must decrease scope 1 emissions by 46% by 2030 in order to keep global warming at 1.5 degrees.⁷⁵ Assessment of environmental and human rights risks is not only becoming best practice for financiers, but necessary due diligence. Although the Sunshine Project has

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Sincerely,

Investor Organizations:

CorpGov.net

Nugent Properties

Seva Foundation

Sisters of Charity of Saint Elizabeth

Sisters of St. Francis of Oldenburg, IN

Congregation of Holy Cross, Moreau Province

Dominican Sisters ~ Grand Rapids

Sisters of the Humility of Mary

Dominican Sisters of Sparkill

Sisters of Charity of New York

Sisters of St. Francis of Philadelphia

Sierra Club Foundation

Sisters of the Holy Names of Jesus & Mary U.S.-Ontario Province

Jesuits of the US Central and Southern Province

Maryknoll Sisters

Harrington Investments, Inc.

Nathan Cummings Foundation

First Affirmative

Zevin Asset Management

United Church Funds

Natural Investments

Everence Financial

Dana Investment Advisors

Investor Advocates for Social Justice

Future Group

Committee on Mission Responsibility Through Investment of the Presbyterian Church (U.S.A.)

Trinity Health

Parnassus Investments

Endorsing NGOs and National Organizations:

350Brooklyn

Alabama Interfaith Power & Light

As You Sow

Break Free From Plastic
BYO - US Reduces
Clean Energy Action
Clean Production Action
Climate Conversation Brazoria County
Climate Defenders
CO Dem. Party - Energy and Environment Committee
Defend Our Health
Earthworks
Empower our Future
Friends of the Earth
For a Better Bayou
GreenFaith
Habitat Recovery Project
HCCA
IHM Sisters
Independent Consultant
Ingleside on the Bay Coastal Watch Association
Jussara Lee
Justice For Formosa's victims
M-W & Associates Environmental Policy Group
Micah Six Eight Mission
North American Marine Alliance
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PEHKA
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Region VI Coalition for Responsible Investment
RISE St. James
San Antonio Bay Estuarine Waterkeeper
Sisters of St. Dominic of Blauvelt, N.Y.
Sisters of St. Joseph of Peace
Sisters of St. Joseph of Peace, WA
Sisters of the Sacred Heart of Mary.-- Eastern American Area Council
Stand.earth
Sunrise Project
Texas Campaign for the Environment
The Last Beach Cleanup
The People's Justice Council
The YEARS Project
Tulipshare
Turtle Island Restoration Network

University of California, Irvine

USA East Province of the Society of Jesus

Women's Earth and Climate Action Network (WECAN), International

Hirofumi (Hiro) Otsuka
CEO
SMBC Group
277 Park Avenue
New York, NY 10172
4/19/2024

Dear Mr. Otsuka,

The undersigned investors with \$60 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request SMBC Group not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to SMBC Group's environmental and social commitments. SMBC Group's Human Rights Report commits the company to prevent, mitigate and remediate the "negative impacts" on human rights connected to its business.⁷⁶ Its sustainability roadmap prioritizes addressing inequality and environmental sustainability. SMBC Group could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.⁷⁷ A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.⁷⁸ And toxic air pollution in the area is rising as more plants are built (seven since 2015).⁷⁹ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.⁸⁰

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,⁸¹ and the EPA recently sued Cancer Alley neoprene producer Denka, "alleging that it presents an unacceptable cancer risk to the nearby majority-Black community."⁸² A renewed

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The Sunshine Project could also pose risks to historic burial sites of enslaved people. An independent investigation found two cemeteries located within the project's remit and although Formosa Plastics was aware of these sites it did not inform community members of the findings.⁸⁹

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been temporarily halted in the courts, we urge SMBC Group to publicly commit to not financing the project and to cease all financial relationships with Formosa Plastics Group and its subsidiaries given the company's clear environmental and human rights harms. We also encourage SMBC Group to revisit its due diligence policies related to environmental racism.

Sincerely,

Investor Organizations:

Endorsing NGOs and National Organizations:350Brooklyn

Alabama Interfaith Power & Light

As You Sow

Break Free From Plastic

BYO - US Reduces

Clean Energy Action

Clean Production Action

Climate Conversation Brazoria County

Climate Defenders

CO Dem. Party - Energy and Environment Committee

Defend Our Health

Earthworks

Empower our Future

Friends of the Earth

For a Better Bayou

GreenFaith

Habitat Recovery Project

HCCA

IHM Sisters

Independent Consultant

Ingleside on the Bay Coastal Watch Association

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Justice For Formosa's victims

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RISE St. James

San Antonio Bay Estuarine Waterkeeper

Sisters of St. Dominic of Blauvelt, NY

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Nugent Properties
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Zevin Asset Management
United Church Funds
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Everence Financial
Investor Advocates for Social Justice
Future Group
Committee on Mission Responsibility Through Investment of the Presbyterian Church (U.S.A.)
Trinity Health

Charles W. Scharf
CEO
Wells Fargo & Company
420 Montgomery Street
San Francisco, CA 94104
4/15/2024

Dear Mr. Scharf,

The undersigned investors with \$71 billion in assets under management write to express our concern regarding Formosa Plastics' proposed chemical manufacturing complex in St. James Parish, Louisiana (the "Sunshine Project") and to request Wells Fargo not to finance this project and to cease any financial relationship with the Formosa Plastics Group and its subsidiaries given the significant potential for environmental and societal harm as well as the reputational risks association with the company could pose.

Continued support for Formosa Plastics could damage the bank's reputation and appears to run counter to Wells Fargo's environmental and social commitments. Wells Fargo's Human Rights Statement commits the bank to "supporting an inclusive, sustainable future for all"⁹¹ and managing the environmental and social impacts of the company's operations, products, and services. Wells Fargo could face reputational risk if it finances activities that perpetuate environmental racism and violate human rights.

The area along the lower Mississippi River between Baton Rouge and New Orleans is widely known as "Cancer Alley" due to the high cancer rates linked to extremely elevated toxic pollution levels. According to a ProPublica investigation mapping EPA data, living in certain areas along the lower Mississippi would lead to a cancer risk *47 times* the EPA's acceptable level of risk.⁹² A recent Tulane study reinforced that mapping, finding a link between air pollution and higher cancer rates among Black or impoverished communities in Louisiana.⁹³ And toxic air pollution in the area is rising as more plants are built (seven since 2015).⁹⁴ The Sunshine Project would continue this trend, exacerbating the environmental racism St. James Parish residents already face. As United Nations human rights experts pointed out when calling for an end to environmental racism in Cancer Alley, Formosa Plastics' Sunshine Project would *double* toxic emissions in the predominantly Black Parish.⁹⁵

Regulators are slowly but surely beginning to respond—the EPA has created a new office focused on environmental justice,⁹⁶ and the EPA recently sued Cancer Alley neoprene producer Denka, "alleging that it presents an unacceptable cancer risk to the nearby majority-Black community."⁹⁷ A renewed

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⁹⁶ <https://apnews.com/article/louisiana-discrimination-race-and-ethnicity-racial-injustice-fafd08c5dbbda68250b916709dc18ef9>

⁹⁷ <https://apnews.com/article/epa-chloroprene-cancer-lawsuit-louisiana-1a57d0402a144bfa4da5d939b34ae6ea>

focus on toxic emissions along the lower Mississippi would heighten Formosa Plastics' already significant potential regulatory risk.

Formosa Plastics Group has a well-documented track record of safety and environmental offenses,⁹⁸ most recently paying a \$50 million settlement for its plastic pollution discharges into waterways in Texas as well as a \$2.85 million fine for "violations of the chemical accident prevention provisions of the Clean Air Act."⁹⁹ Although the settlement included a mandate for zero-discharge of plastic, the Point Comfort, Texas plant has racked up penalties of \$14.178 million for 563 violations since the settlement went into effect February 2020.¹⁰⁰ Since June 2021, the facility has been tested three times per week, with each test confirming ongoing violations.¹⁰¹ Formosa Plastics was also in the news following the East Palestine derailment as the largest emitter of vinyl chloride in the United States—raising the specter of reputational risk as the public focuses on emissions from plastic plants following the disaster.¹⁰² Formosa Plastics Group's steel subsidiary paid the Vietnamese government \$500 million after a steel mill caused "one of the largest environmental disasters in Vietnam's history" following a 2016 toxic chemical spill.¹⁰³ Tragically, thousands of victims have yet to receive compensation, Formosa Ha Tinh Steel continues to deny an independent environmental study on the current status of marine pollution, and 23 individuals are currently imprisoned for speaking out about the ongoing injustice.

The Sunshine Project could also pose risks to historic burial sites of enslaved people. An independent investigation found two cemeteries located within the project's remit and although Formosa Plastics was aware of these sites it did not inform community members of the findings.¹⁰⁴

Supporting the expansion of petrochemical infrastructure through direct project finance or indirect corporate finance could also contradict Wells Fargo's pledge to reach net zero emissions by 2050. Chemical sector emissions have increased in recent years, and a significant rise in demand is forecasted. One estimate found that the sector must decrease scope 1 emissions by 46% by 2030 in order to keep global warming at 1.5 degrees.¹⁰⁵ Assessment of environmental and human rights risks is not only becoming best practice for financiers, but necessary due diligence. Although the Sunshine Project has

⁹⁸ See this October 2021 report from the Center for International Environmental Law (CIEL), the Center for Biological Diversity, and Earthworks for a more comprehensive accounting of Formosa's lackluster environmental and human rights record. <https://www.ciel.org/reports/formosa-plastics-group-a-serial-offender-of-environmental-and-human-rights/>

⁹⁹ <https://coast.noaa.gov/states/stories/historic-pollution-settlement-to-nurdle-patrol.html>,

<https://www.justice.gov/opa/pr/texas-plastics-corporation-will-pay-nearly-3-million-violating-clean-air-act>

¹⁰⁰ <https://www.theguardian.com/us-news/2019/dec/18/louisiana-pollution-petrochemical-site-sunshine-project>

¹⁰¹

<https://ccrjustice.org/sites/default/files/attach/2020/03/St.%20James%20Cemeteries%20%28Reduced%29%20%281%29.pdf>

¹⁰² <https://www.cbsnews.com/news/vinyl-chloride-ohio-train-derailment-thousands-pounds-released-annually-plastics/> Research suggests that even .08 ppm of vinyl chloride exposure could be harmful to human health.

¹⁰³ <https://www.business-humanrights.org/en/latest-news/formosa-steel-owns-up-to-toxic-spill-agrees-to-pay-vietnam-500-million/>

¹⁰⁴ <https://www.theguardian.com/us-news/2019/dec/18/louisiana-pollution-petrochemical-site-sunshine-project>, <https://ccrjustice.org/sites/default/files/attach/2020/03/St.%20James%20Cemeteries%20%28Reduced%29%20%281%29.pdf>

¹⁰⁵ <https://www.oliverwyman.com/our-expertise/insights/2022/jan/chemical-industry-outlook-for-2022-and-beyond.html>

been temporarily halted in the courts, we urge Wells Fargo to publicly commit to not financing the project and to cease all financial relationships with Formosa Plastics Group and its subsidiaries given the company's clear environmental and human rights harms. We also encourage Wells Fargo to revisit its due diligence policies related to environmental racism.

Sincerely,

Investor Organizations:

CorpGov.net

Nugent Properties

Seva Foundation

Sisters of Charity of Saint Elizabeth

Sisters of St. Francis of Oldenburg, IN

Congregation of Holy Cross, Moreau Province

Dominican Sisters ~ Grand Rapids

Sisters of the Humility of Mary

Dominican Sisters of Sparkill

Sisters of Charity of New York

Sisters of St. Francis of Philadelphia

Sierra Club Foundation

Jesuits of the US Central and Southern Province

Maryknoll Sisters

Harrington Investments, Inc.

Nathan Cummings Foundation

School Sisters of Notre Dame Collective Investment Fund

Friends Fiduciary Corporation

First Affirmative

Zevin Asset Management

United Church Funds

Natural Investments

Everence Financial

Dana Investment Advisors

Investor Advocates for Social Justice

Future Group

Committee on Mission Responsibility Through Investment of the Presbyterian Church (U.S.A.)

Trinity Health

Endorsing NGOs and National Organizations:

350Brooklyn

Alabama Interfaith Power & Light

As You Sow
Break Free From Plastic
BYO - US Reduces
Clean Energy Action
Clean Production Action
Climate Conversation Brazoria County
Climate Defenders
CO Dem. Party - Energy and Environment Committee
Defend Our Health
Earthworks
Empower our Future
Friends of the Earth
For a Better Bayou
GreenFaith
Habitat Recovery Project
HCCA
IHM Sisters
Independent Consultant
Ingleside on the Bay Coastal Watch Association
Jussara Lee
Justice For Formosa's victims
M-W & Associates Environmental Policy Group
Micah Six Eight Mission
North American Marine Alliance
Northwest Coalition for Responsible Investment
PEHKA
Presente.org
Rainforest Action Network
Region VI Coalition for Responsible Investment
RISE St. James
San Antonio Bay Estuarine Waterkeeper
Sisters of Notre Dame de Namur - Ohio
Sisters of St. Dominic of Blauvelt, NY
Sisters of St. Joseph of Peace
Sisters of St. Joseph of Peace, WA
Sisters of the Sacred Heart of Mary.-- Eastern American Area Council
Stand.earth
Sunrise Project
Texas Campaign for the Environment
The Last Beach Cleanup
The People's Justice Council
The YEARS Project

Tulipshare

Turtle Island Restoration Network

University of California, Irvine

USA East Province of the Society of Jesus

Women's Earth and Climate Action Network (WECAN), International

Zero Waste Ithaca