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### A Step in The Right (and Left) Direction for Chemical Reform

Recently a historic moment occurred in Congress. For the first time in over 35 years there was true bipartisan discussion on how to repair an antiquated, broken federal regulation. I reference the US Senate's Environment and Public Works (EPW) Committee hearing on "Strengthening Public Health Protections by Addressing Toxic Chemical Threats" on Wednesday, July 31, 2013. This hearing was a deep dive into the many problems with our current laws on toxic chemicals. Since the Toxic Substances Control Act (TSCA) was passed in 1976 over 85,000 chemicals have been introduced in commerce, 200 reviewed by the Environmental Protection Agency (EPA) and only five regulated. Statistics often speak for themselves. Many of the chemicals found in consumer products have never been assessed for safety by any publically accountable agency. And many of these chemicals are increasingly linked to negative health effects including cancer, neurodevelopmental disabilities, and reproductive harm.

There is agreement across many sectors including environment and public health organizations, faith-based sectors, the chemical industry, as well as consumers to take action on reforming TSCA. Clearly this law is failing to protect public health, our communities and the environment. Currently, EPA rather than chemical manufacturers bears the burden of proving a chemical is harmful. For this reason we still have products available that contain known carcinogens, including asbestos and formaldehyde.

The EPW Committee hearing opened with accolades and memorials to the late Sen. Frank Lautenberg (D-NJ) who wanted his legacy to be toxic chemical reform. Senators indicated it was their wish to honor the Senator's years of dedication to this issue. Shortly before Senator Lautenberg passed away, he and Senator David Vitter (R-LA) introduced the Chemical Safety Improvement Act (CSIA). Wednesday's hearing was a deep dive into the many problems with our current laws on toxic chemicals. Senators from both sides of the aisle underscored the need to reform TSCA and willingness to work together, a refreshing change from the status quo in Washington. This represented a monumental step forward in Congress. Currently, twenty senators from have co-sponsored the bill including Sen. Pat Toomey (R-PA).

The introduction of the CSIA is a great start to opening the dialogue amongst all interested parties. One thing that was clear from the hearing is that the CSIA needs to be fixed in some core ways to adequately protect public health from toxic chemicals. There are fundamental principles that both sides of the aisle must agree to in order to make federal chemical reform a reality. They are as follows:

- 1) Ensure adequate protections for vulnerable populations, including pregnant women, children and hot spot communities. Children are particularly vulnerable to harm from toxic chemical exposures. Not only are children more at risk, they are also often more highly exposed to toxic chemicals. Per pound of body weight, children eat more food, drink more fluids and breathe more air than adults.
- 2) Preserve the authority of state governments to act on toxic chemicals. Ten state Attorney Generals submitted a letter to the EPW Committee expressing their concern with language in the CSIA that could prevent states from acting to address potential risks of toxic substances and from exercising state enforcement powers.
- 3) Require adequate data on chemical safety, so the EPA can properly prioritize chemicals.
- 4) Include deadlines and timetables to ensure the EPA is meeting appropriate benchmarks.
- 5) Remove red tape on the EPA before restricting the use of dangerous chemicals (learning from the lessons of existing TSCA and asbestos).

We were pleasantly surprised by the bi-partisan spirit of the hearing. Congressional hearings can easily break down into a political food fight and this hearing failed to do that. Members of both the Democratic and Republican parties seemed willing to work together on a solution for reforming TSCA.

We look forward to a day when consumers no longer have to play detective before purchasing a product from the store shelf. These discussions left us encouraged, enthused and hopeful that true progress can be made to better protect our health and environment. We joined our colleagues, and even a few celebrities, and tweeted about remarks from the hearing's panel members. The hashtag saferchemicals was trending in the top 2 spot, only behind the "promoted" Smurfs 2. Hopefully those Smurfs 2 toys and figurines won't need to be recalled due to the presence of toxic chemicals that could harm our children.

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