4/2/2015

Senator James Inhofe
Chairman, Environment & Public Works Committee
410 Dirksen Senate Office Building
Washington, D.C. 20510

Senator Barbara Boxer
Ranking Member, Environment & Public Works Committee
456 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Inhofe and Ranking Member Boxer:

We are writing as medical professionals to express our strong concern over the weaknesses of S. 697, a bill that purports to meaningfully reform the Toxic Substances Control Act, yet in actuality would fall far short of this goal.

First, we have serious concerns about the proposed safety standard in S. 697, which largely replicates the weak standard in TSCA. By retaining the term "unreasonable risk," which remains poorly defined, the bill is likely to place a heavy burden on the EPA to take real steps to protect the public from harmful chemicals. Instead, we need a truly health-protective safety standard, one based on "reasonable certainty of no harm."

Second, EPA also should be required to make decisions about the safety of a chemical in a timely manner and under clear deadlines. The EPA says roughly 1,000 chemicals need immediate health and safety review. S. 697 only requires EPA to begin reviewing twenty-five chemicals within five years, and then allows the agency up to seven years to complete each review and create restrictions if necessary to protect the public. The bill is unclear as to when those restrictions would take effect, such as phase-outs or bans, and only addresses a tiny fraction of the thousands of chemicals to which the public is exposed.

Third, we are deeply alarmed that the broad language in S. 697 on state-level preemption could block states from implementing more health-protective laws for their citizens. The federal Clean Air Act, Clean Water Act, TSCA and many other environmental laws allow states to take more robust action when necessary to protect their residents. This bill would mark a dramatic departure by severely curtailing states' authority to regulate chemicals. The task of ensuring the safety of chemicals is too big to leave predominately with the EPA. A healthy role for the states must be preserved.

Reforming federal chemical law is critical and decades overdue, but it should be done in a manner that significantly boosts protections for public health. As health care practitioners we do not believe S. 697 accomplishes that goal.

Sincerely,

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*for identification purposes only