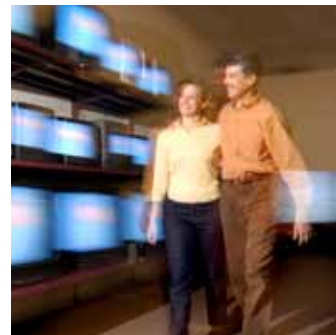


## Support H.R. 5820, The Toxic Chemicals Safety Act



**O**ur chemical safety system is badly broken. The Toxic Substances Control Act of 1976 (TSCA), the nation's primary chemical safety law, has failed public health, the environment, and our communities. Toxic chemicals linked to chronic diseases and conditions, such as prostate cancer, learning disabilities, infertility, and obesity, do not belong in the products we use in our homes, schools, and workplaces.

We now have a once-in-a-generation opportunity to protect our families! Representative Bobby Rush (IL) has introduced the Toxic Chemicals Safety Act (H.R. 5820) in the House of Representatives. Original co-sponsors of H.R. 5820 include Representatives Henry Waxman (CA), Kathy Castor (FL), Diana DeGette (CO), John Sarbanes (MD), and Janice Schakowsky (IL). Senator Frank Lautenberg (NJ) introduced companion legislation, the Safe Chemicals Act (S. 3209), in April 2010.

**H.R. 5820 requires that all chemicals be proven safe**  
**The chemical industry must prove that their chemicals are safe.** Both existing and new chemicals must meet a health-based safety standard in order to stay on or enter the market—just as we already require for pharmaceuticals and pesticides under other laws. The U.S. Environmental Protection Agency (EPA) will make an independent safety determination to ensure that the industry has proven safety.

**Immediate action on the worst chemicals.** EPA must immediately act to reduce exposure to **PBTs** (chemicals that are **persistent, bioaccumulative, and toxic**) to the greatest practicable extent. PBTs, including lead, mercury, and many halogenated compounds, persist in the environment and build up in the food chain. Nineteen other high priority chemicals are identified in the legislation

and targeted for immediate safety decisions; these include bisphenol A, phthalates, TCE, formaldehyde, and hexavalent chromium. EPA is to add to this list of priority chemicals, identifying 300 within the first year.

**H.R. 5820 protects our health using the best science**  
**The safety standard must protect the most vulnerable among us.** Toxic chemicals especially threaten the health of the developing fetus, babies, young children, and teens. Other uniquely vulnerable groups include the elderly, people with preexisting medical conditions, workers, and low-income communities—predominantly people of color—located near chemical hot spots.

**The safety standard must account for chemical exposures from all sources.** Exposures to a chemical aggregated across all sources—reflecting how people are exposed in the real world—must be quantified and shown to be safe.

**When determining chemical safety, EPA must use the best available science.** EPA must follow the recommendations of the National Academy of Sciences, the nation's top scientific experts, when assessing chemical safety.

**H.R. 5820 informs the market, consumers, and the public**

**Chemical manufacturers must provide essential health and safety information for all chemicals.** Chemical producers must provide EPA with all of the data on chemical hazards, uses, and exposures it needs to determine safety. Honoring the public's right to know, basic safety data are to be provided by the EPA to the public through an Internet-accessible database. Chemical



makers must also provide information on the chemicals they supply to product manufacturers, so manufacturers can make informed decisions about which chemicals they want to use, and which they want to avoid.

#### **The bill makes it harder to keep chemical information secret.**

The bill ensures that information about health hazards and the presence of chemicals in children's products is made public—it can't be kept 'secret' except in narrow circumstances. All claims of confidential business information (CBI) have to be justified up front and will expire after five years unless rejustified. EPA will be required to review a sufficient number of CBI claims to ensure they are valid.

#### **H.R. 5820 promotes environmental justice**

##### **EPA must identify environmental 'hot spots' and take prompt action to reduce chemical exposures in those communities.**

Many local geographic areas, often home to people of color and low-income residents, face greater exposure to toxic chemicals than the national average. EPA must name at least 20 'hot spots' and develop chemical action plans to significantly reduce such exposures.

**EPA must consider cumulative impact and exposure across all stages of a chemical's life cycle**, when making safety determinations. EPA must take into account multiple exposures to different chemicals with the same adverse effects, such as cancer or learning disabilities, when determining safety. All sources of exposure to a chemical must be factored in, including those from industrial facilities, consumer products, and waste disposal.

#### **H.R. 5820 boosts innovation, development of safer chemicals and jobs**

**The bill rewards innovation that leads to new, safer chemicals**, enhancing the competitive strength of the American chemical industry. The bill allows new chemicals to enter the market **without** a safety determination whenever they: (1) are inherently low-hazard, (2) offer safer alternatives to specific uses of existing chemicals, or (3) serve critical uses.

**The bill levels the playing field between new and existing chemicals.** In order to remain on the market, existing chemicals must, for the first time, be assessed and shown to be safe. By also ensuring the safety of new chemicals, the bill positions innovative companies to gain advantage by meeting the growing global market demand for safer chemicals and products.

**Investment in green chemistry research will boost American business.** The bill establishes and funds a network of regional green chemistry research centers to speed the adoption of safer alternatives and create new green business development opportunities.

**Investment in workforce development will spur new American jobs.** The bill creates an education and training program to develop the green chemistry skills of industrial and scientific workers, enabling workers to produce safer alternatives, and creating new and safer jobs.

#### **H.R. 5820 supports the states and tribes**

**The new bill supports state-level and tribal chemical programs.** To ensure chemical safety, EPA must provide grants to and coordinate and share data with existing state and tribal government agencies. The bill will not preempt stricter state and tribal rules.

The Safer Chemicals, Healthy Families coalition includes nurses, parents, advocates for the learning disabled, scientists, environmental health advocates, and concerned citizens from across the nation. These diverse groups are united by their common concern about toxic chemicals in our homes, places of work, and products we use every day.

[www.SaferChemicals.org](http://www.SaferChemicals.org)