

April 2, 2010

Honorable Bobby L. Rush, Chairman
Honorable George Radanovich, Ranking Member
Members of the Subcommittee
Subcommittee on Commerce, Trade and Consumer Protection
Committee on Energy and Commerce, U.S. House of Representatives
2125 Rayburn House Office Building, Washington, D.C. 20515

Dear Chairman Rush, Ranking Member Radanovich and Members of the Subcommittee,

On behalf of the sixty signed Great Lakes groups concerned about the health and economic well-being of the Great Lakes ecosystem, we write to urge you to support immediate action to address persistent, bioaccumulative, and toxic chemicals (PBTs) as you consider policy options for modernizing the Toxic Substances Control Act (TSCA) in the United States.

Under the Great Lakes Water Quality Agreement of 1978 and the subsequent Great Lakes Binational Toxics Strategy, the U.S. and Canada pledged to seek the virtual elimination of the discharge of persistent toxic substances to the Great Lakes.

That goal is no less important today. PBT chemicals continue to pose an economic threat to the region's \$7 billion fisheries industry and the \$16 billion tourism industry, while also threatening public health. The legacy of contamination from PBT's already released to the Great Lakes will likely cost hundreds of millions of dollars to cleanup. There is evidence that newly emerging PBT's may become the legacy contaminants of the future. For example, the group of flame retardants called PBDE's are now ubiquitous in the soil, sediment and fish of the Great Lakes region. **Concentrations of PBDEs in fish rose dramatically from 1980-2000.** Action to **prevent** additional contamination is prudent and cost-effective.

PBTs are uniquely dangerous because they pose a triple threat. They persist in the environment for long periods of time and can be transported long distances; they accumulate in living organisms and increase in concentration as they move up the food chain; and, they can be highly toxic, often at very low levels of exposure. PBT substances have been associated with widespread, long-term adverse effects on wildlife in the Great Lakes. A growing body of scientific evidence links PBT chemicals to a wide range of serious human health problems, including early onset of puberty, infertility, endocrine disruption, learning disabilities, behavioral disorders and certain cancers.

The Great Lakes ecosystem is vulnerable, and is particularly susceptible to PBT's because the lakes are a nearly closed system with long water retention times, low sedimentation rates, low biological productivity, a largely self-contained fish and wildlife population, regional dependence on the lakes for food and water, and huge surface areas susceptible to airborne contaminants.

Contamination of our nation's waterways is not just a Great Lakes issue. According to a draft National Lakes Assessment released March 2, fish in half of all lakes tested had dangerous mercury levels. Seventeen percent of lakes had fish whose flesh contained health-threatening concentrations of PCBs, which have been banned in the U.S. for more than 30 years¹ (US EPA, 2010). Once released, we live with the impacts of PBT's for generations.

As you consider policy options for modernizing the Toxic Substances Control Act (TSCA), we urge you to support immediate action to address PBT's. Given the long-standing commitment of the US Government to the virtual elimination of PBT's, and the near universal recognition of the problematic nature of these compounds, we urge you to prioritize PBT phase

¹ US EPA. (2010, March 2). *Clean Lakes, National Lakes Assessment Report*. Retrieved March 2, 2010, from US EPA : <http://www.epa.gov/lakessurvey/>

out under any TSCA revision, on an expeditious but reasonable timeline, with exceptions allowed for critical uses that lack viable alternatives. In addition, new PBTs should not be approved for use in commerce under a reformed TSCA.

Governments at all levels, international agreements, authoritative scientific bodies, researchers, and leading companies have long since adopted policies acknowledging the special nature of PBT's, and the need to eliminate unnecessary uses.

As groups living in the region with 20% of the world's fresh surface water, and 90% of the nation's, we urge you to act to protect that resource, its future health, and it's economic vitality.

If you have any questions or would like to discuss this issue further, please contact Tracey Easthope, Ecology Center, 117 N. Division, Ann Arbor, Michigan, 48104 (tracey@ecocenter.org), 734-761-3186.

CC:

Great Lakes Congressional Delegation
Chairman Henry Waxman
Chairman Frank Lautenberg
Senator James Inhofe
Chairwoman Barbara Boxer
Administrator Lisa Jackson

Sincerely,

Andy Buchsbaum
Great Lakes Regional Center
National Wildlife Federation

John Jackson
Great Lakes United

Judy Johnston
Lake Michigan League of Women Voters
Michigan, Indiana, Illinois, Wisconsin

Irene Senn
Religious Coalition for the Great Lakes

Piper Crowell
Environment America
Washington DC

Great Lakes Committee of the Izaak Walton League of America

Edward L. Michael
Illinois Council of Trout Unlimited
Oak Brook, Illinois

Jim Nelson, Executive Director,
Illinois Public Health Association
Illinois

Stuart Strahl, Ph.D.
Chicago Zoological Society
Brookfield, Illinois

Max Muller

Environment Illinois

Lyman C. Welch
Alliance for the Great Lakes
Chicago, IL

Dorian Breuer
Pilsen Environmental Rights and Reform Organization
Chicago, Illinois

William Schleizer
Delta Institute
Chicago, Illinois

Karen McDonough
Autism Society of Illinois

Kathy Kirkwood
Learning Disabilities Association of Illinois
Illinois

Carol Stark
CARE-Citizens Against Ruining the Environment
Lockport Illinois

Gail S. Prins
Professor
University of Illinois at Chicago

Thomas R. Anderson
Erin Crofton
Save the Dunes Conservation Fund
Michigan City, Indiana

Tim Wilson
Winding Waters Group, Sierra Club
Columbus, Indiana.

Lin Kaatz Chary
Indiana Toxics Action
Indiana

James Clift
Michigan Environmental Council
Michigan

Shelley Vinyard
Environment Michigan
Ann Arbor, Michigan

Jennifer McKay
Tip of the Mitt Watershed Council
Petoskey, MI

Rachel Hood
West Michigan Environmental Action Council
Grand Rapids, Michigan

Lynna Kauchek
Clean Water Action
Michigan

Lisa Wozniak
Michigan League of Conservation Voters
Michigan League of Conservation Voters Education Fund

Jack Smiley
Detroit Audubon Society
Detroit, Michigan

Terry Miller
Lone Tree Council
Bay City, Michigan

Diana Copeland
East Michigan Environmental Action Council
Bloomfield Hills, Michigan

Grenetta Thomassey, PhD
Tip of the Mitt Watershed Council
Petoskey, Michigan

Andy Knott
The Watershed Center of Grand Traverse Bay
Traverse City, Michigan

Jackie Igafo-Te'o
Learning Disabilities Association of Michigan
Healthy Children Project
Lansing, Michigan

Jill Ryan
Freshwater Future
Petoskey, Michigan

Ted Schettler
Science and Environmental Health Network
Ann Arbor, Michigan

The Leadership Council
Sisters, Servants of the Immaculate Heart of Mary
Monroe, MI

Robin Heller
LocalMotionGreen
Grosse Pointe, Michigan

Tracey Easthope
Ecology Center
Ann Arbor, Michigan

Greg Reisig
Northern Michigan Environmental Action Council
Traverse City, Michigan

Senator Liz Brater
Michigan Senate

Tittabawassee River Watch
Saginaw, Michigan

Ken Dahlberg, Chair,
Michigan Land Trustees
Michigan

Janice Littlefield
Conservation and Restoration Network for Areas of Concern
St. Clair River Area of Concern
Port Huron, Michigan

Deanna White
Clean Water Action
Minnesota

Kathleen Schuler, MPH
Institute for Agriculture and Trade Policy
Minneapolis, Minnesota

Karen Joy Clark
Women's Environmental Institute
North Branch, MN

Julia Earl
Preventing Harm Minnesota
St. Paul, MN

Ruth O'Gawa
Lake Superior Conservancy and Watershed Council

Samuel H. Sage
Atlantic States Legal Foundation, Inc
Syracuse NY

Kathy Curtis
Clean New York
Albany, NY

Judith M. Anderson
Environmental Justice Group of WNY, Inc.
Buffalo, NY

Katherine Nadeau
Environmental Advocates of New York
Albany, NY

Barbara Warren
Citizens' Environmental Coalition
Albany, NY

Ellen Mee, J.D.
Ohio Environmental Council
Columbus, Ohio

Sandy Bihn
Western Lake Erie Waterkeeper Association
Oregon, Ohio

Pat Lillie, President
Learning Disabilities Association of America
Pittsburgh, PA

Melinda Hughes-Wert, President
Nature Abounds
Clearfield PA

Melissa Malott
Clean Wisconsin
Wisconsin

Dale Olen
Great Waters Group Sierra Club
Milwaukee, Ozaukee, Washington, & Waukesha Counties, Wisconsin

Diane Herman, President
Town and Country Resource, Conservation and Development
Wisconsin

Cheryl Nenn
Milwaukee Riverkeeper
Milwaukee, Wisconsin