



Healthy Legacy
Conservation Minnesota
1101 West River Parkway, Suite 250
Minneapolis, MN 55415

Representative John Shimkus, Chair House Energy and Commerce Subcommittee on Environment and the Economy

Representative Fred Upton, Chair House Energy and Commerce Committee

Representative Paul Tonko, Ranking Member House Energy and Commerce Subcommittee on Environment and the Economy

Representative Henry Waxman, Ranking Member House Energy and Commerce Committee

March 11, 2014

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressmen;

We are writing on behalf of the Healthy Legacy coalition, a 37-member public health coalition of Minnesota health professionals, health affected, environmental and faith-based organizations, working hard to protect children from the impacts of unregulated toxic chemicals widely used in commerce, including in the products we use every day. We are motivated by mounting scientific evidence linking chemical exposures to widespread diseases and conditions, including cancers, learning and developmental disabilities, birth defects, and asthma. These diseases are increasing in the general population and place a significant and costly burden on the nation.

We are deeply disappointed in the Discussion Draft of the Chemicals in Commerce Act Representative Shimkus of Illinois unveiled on February 27th. Rather than responding to the concerns with the Toxic Substances Control Act (TSCA) identified by health professional, health-affected, and environmental groups this discussion draft actually rolls back some of the very few strengths of the existing TSCA. It fails the most critical test of any chemicals reform bill- it fails to protect public health. The Chemicals in Commerce Act:

- Lacks a specified Safety Standard. The standard for action on new and existing chemicals is "unreasonable risk of injury" -- the same term that in current TSCA that requires cost-benefit balancing before chemicals can be restricted.
- Rolls back already weak testing authority in existing law, which has required testing on only 200 chemicals in it's decades long history.
- Weakens EPA's authority to assure safety of new chemicals, new uses of existing chemicals, and regulation of existing chemicals
- Lacks timelines to prioritize the worst chemicals and adequate data requirements to determine when chemicals should be low priority.
- Fails to require consideration of vulnerable populations during chemical assessments and to provide protections where they are at undue risk.
- Weakens protections against imports of unsafe chemicals and products.
- Fails to provide disclosure of information on chemical safety, establishing broad presumptions that numerous categories of information are confidential.
- Preempts state authority to assure chemical safety. State laws and regulations on chemicals, including those predating TSCA revisions, are preempted under a wide range of conditions, including designation of a chemical as low-priority or completion of the review period for a new chemical.

The members of the Healthy Legacy coalition urge you to oppose this Act and work with public health and environmental communities to introduce a bill that would actually protect our health.

Sincerely,



Kathleen Schuler
Co-Director Healthy Legacy
612-767-2444
Kathleen@conservationminnesota.org



Deanna White
Co-Director Healthy Legacy
(612) 623-3666 x512
dwhite@cleanwater.org



Coalition Member Groups

- Arc Greater Twin Cities
- Autism Society of Minnesota
- Chance to Grow
- Citizens for Corporate Redesign
- Clean Water Fund
- Conservation Minnesota
- Creative Health Connections
- Earthology Institute
- Eureka Recycling
- Environmental Justice Advocates of Minnesota
- Global Action
- Healthy Child Healthy World
- Heartland Community Action
- Indigenous Environmental Network
- Institute for Agriculture and Trade Policy
- Kids for Saving Earth
- Latina/o Environmental Health Begins at Home
- League of Women Voters- Minneapolis
- Learning Disability Association of Minnesota
- Minnesota Association for Children's Mental Health
- Minnesota Black Nurses Association
- Minnesota Center for Environmental Advocacy
- Minnesota Council of Churches
- Minnesota Natural Health Legal Reform Project
- Minnesota Nurses Association
- Minnesota Parent Teacher Association
- Minnesota Pesticide Awareness
- Minnesota Public Health Association
- Minnesota Public Interest Research Group
- Minnesota Technical Assistance Program
- Pesticide Action Network of North America
- Planned Parenthood Minnesota, North Dakota, South Dakota
- Service Employees International Union (SEIU), Local 26
- Sierra Club North Star Chapter
- Sustainable Resources Center
- Take Back the Air
- Women's Environmental Institute