Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
339 E. Liberty St. Ste. 300
Ann Arbor, MI 48104
734-368-9278
Rebecca@ecocenter.org

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

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressman Shimkus,

The undersigned Michigan health professionals, health affected, environmental and faith-based organizations have been 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 moved 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 fails to call for immediate action to protect people from existing harmful chemicals, allows new chemicals to enter the market without adequate health and safety review, allows the chemical industry to keep health and safety information secret from American families, and fails to provide for specific action to protect those most vulnerable to chemical hazards.

The weak proposal has implications for the health of residents and well as ecosystems in the Great Lakes basin. Many people in the region depend on the lakes for food and water and on the $7 billion fisheries industry and $16 billion tourism industry. Some of the most important threats to these economic engines in our region have been the widespread dispersal of untested and hazardous chemicals that have ended up in the air, water, sediment and in the food chain. The Great Lakes ecosystem is extraordinarily vulnerable and particularly susceptible to persistent chemicals that can leach out of consumer products into the environment during manufacture, use, and disposal.

One of the few bright spots of public health protection under existing TSCA is EPA's authority to review restrict Significant New Use Rules (SNURs). SNURs are unfortunately rolled back in section 5(a)(3) of the Act. This would make it very difficult for the EPA to regulate significant new uses of chemicals in products for the first time.

The Chemicals in Commerce Act also would weaken the EPA's authority to review and restrict new chemicals, stating that the EPA can only prevent a new chemical from entering commerce if it finds that the chemical is "likely to present an unreasonable risk of injury." This is a much higher standard than in current TSCA, in which EPA may restrict new chemicals that "may present" an unreasonable risk or are expected to have substantial production volume and significant exposure potential. Moreover, the Act sets up a catch-22 on safety assessment because the EPA would also not be able to require testing of new chemicals without the consent of the manufacturer unless the chemical is "likely to present an unreasonable risk." EPA would have to know that a chemical is hazardous before it is even allowed to require testing to evaluate that hazard.

The Act lacks a schedule for issuing and updating the list of high-priority chemicals, thereby giving no assurance that chemicals which threaten human health or the environment are assessed for safety and regulated if need be. Furthermore, chemicals may be listed as low-priority and then any further assessment of safety is expressly precluded.

Moreover, those states that have already or intend to pass laws that actually would protect public health and the environment would be hamstrung by the Act. The Act preempts state laws and regulations on chemicals under many conditions, but well before it is adequately regulated at the federal level, including designation of a chemical as low-priority or completion of the review for a new chemical subject to section 5 of TSCA.

While the act mentions "potentially exposed populations," there is no requirement for EPA to consider the risks to more vulnerable populations during chemical assessments and provide strong protections for those most vulnerable. Our coalition cannot accept a bill that does not explicitly protect the most vulnerable, including children, pregnant women, and communities disproportionately burdened by chemical exposure.

The undersigned organizations 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,

Learning Disabilities Association of Michigan
Annette Lalley
President
Lansing, MI

Michigan Breast Cancer Coalition
Evelyn R. Barrack, Ph.D.
Science Advisor
Royal Oak, MI

Michigan Psychological Association
William Bloom, PhD
Lansing, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
Ann Arbor, MI

Southeast Michigan Association of Neonatal Nurses
Joyce Stein
President
Brooklyn, MI

The Lake House
Kelsey E. Golan, LLMSW
Program Coordinator
St. Clair Shores, MI

MI Air, MI Health
Rory Neuner
Coalition Coordinator
Lansing, MI

Ecology Center
Alexis Blizman, JD
Legislative and Policy Director
Ann Arbor, MI

Michigan League of Conservation Voters
Lisa Wozniak
Executive Director
Ann Arbor, MI

Mom's Clean Air Force, Michigan
Wibke Heymach
Program Manager
Ann Arbor, MI

Michigan Environmental Council
Tina Reynolds
Health Policy Director
Lansing, MI

Voices for Earth Justice
Patty Gillis
Executive Director
Southfield, MI

West Michigan Environmental Action Council
Nicholas Occhipinti, MPP
Policy and Community Activism Director
Grand Rapids, MI

Clean Water Action
Nic Clark
Michigan Director
Lansing, MI

Legislative and Political Director
Mike Berkowitz
Sierra Club Michigan Chapter
Lansing, MI

Citizens for Alternatives to Chemical Contamination
Connie Beauvais
Secretary
Lake Station, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
339 E. Liberty St. Ste. 300
Ann Arbor, MI 48104
734-368-9278
Rebecca@ecocenter.org

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

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressman Tonko,

The undersigned Michigan health professionals, health affected, environmental and faith-based organizations have been 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 moved 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 fails to call for immediate action to protect people from existing harmful chemicals, allows new chemicals to enter the market without adequate health and safety review, allows the chemical industry to keep health and safety information secret from American families, and fails to provide for specific action to protect those most vulnerable to chemical hazards.

The weak proposal has implications for the health of residents and well as ecosystems in the Great Lakes basin. Many people in the region depend on the lakes for food and water and on the $7 billion fisheries industry and $16 billion tourism industry. Some of the most important threats to these economic engines in our region have been the widespread dispersal of untested and hazardous chemicals that have ended up in the air, water, sediment and in the food chain. The Great Lakes ecosystem is extraordinarily vulnerable and particularly susceptible to persistent chemicals that can leach out of consumer products into the environment during manufacture, use, and disposal.

One of the few bright spots of public health protection under existing TSCA is EPA's authority to review restrict Significant New Use Rules (SNURs). SNURs are unfortunately rolled back in section 5(a)(3) of the Act. This would make it very difficult for the EPA to regulate significant new uses of chemicals in products for the first time.

The Chemicals in Commerce Act also would weaken the EPA's authority to review and restrict new chemicals, stating that the EPA can only prevent a new chemical from entering commerce if it finds that the chemical is "likely to present an unreasonable risk of injury." This is a much higher standard than in current TSCA, in which EPA may restrict new chemicals that "may present" an unreasonable risk or are expected to have substantial production volume and significant exposure potential. Moreover, the Act sets up a catch-22 on safety assessment because the EPA would also not be able to require testing of new chemicals without the consent of the manufacturer unless the chemical is "likely to present an unreasonable risk." EPA would have to know that a chemical is hazardous before it is even allowed to require testing to evaluate that hazard.

The Act lacks a schedule for issuing and updating the list of high-priority chemicals, thereby giving no assurance that chemicals which threaten human health or the environment are assessed for safety and regulated if need be. Furthermore, chemicals may be listed as low-priority and then any further assessment of safety is expressly precluded.

Moreover, those states that have already or intend to pass laws that actually would protect public health and the environment would be hamstrung by the Act. The Act preempts state laws and regulations on chemicals under many conditions, but well before it is adequately regulated at the federal level, including designation of a chemical as low-priority or completion of the review for a new chemical subject to section 5 of TSCA.

While the act mentions "potentially exposed populations," there is no requirement for EPA to consider the risks to more vulnerable populations during chemical assessments and provide strong protections for those most vulnerable. Our coalition cannot accept a bill that does not explicitly protect the most vulnerable, including children, pregnant women, and communities disproportionately burdened by chemical exposure.

The undersigned organizations 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,

Learning Disabilities Association of Michigan
Annette Lalley
President
Lansing, MI

Michigan Breast Cancer Coalition
Evelyn R. Barrack, Ph.D.
Science Advisor
Royal Oak, MI

Michigan Psychological Association
William Bloom, PhD
Lansing, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
Ann Arbor, MI

Southeast Michigan Association of Neonatal Nurses
Joyce Stein
President
Brooklyn, MI

The Lake House
Kelsey E. Golan, LLMSW
Program Coordinator
St. Clair Shores, MI

MI Air, MI Health
Rory Neuner
Coalition Coordinator
Lansing, MI

Ecology Center
Alexis Blizman, JD
Legislative and Policy Director
Ann Arbor, MI

Michigan League of Conservation Voters
Lisa Wozniak
Executive Director
Ann Arbor, MI

Mom's Clean Air Force, Michigan
Wibke Heymach
Program Manager
Ann Arbor, MI

Michigan Environmental Council
Tina Reynolds
Health Policy Director
Lansing, MI

Voices for Earth Justice
Patty Gillis
Executive Director
Southfield, MI

West Michigan Environmental Action Council
Nicholas Occhipinti, MPP
Policy and Community Activism Director
Grand Rapids, MI

Clean Water Action
Nic Clark
Michigan Director
Lansing, MI

Legislative and Political Director
Mike Berkowitz
Sierra Club Michigan Chapter
Lansing, MI

Citizens for Alternatives to Chemical Contamination
Connie Beauvais
Secretary
Lake Station, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
339 E. Liberty St. Ste. 300
Ann Arbor, MI 48104
734-368-9278
Rebecca@ecocenter.org

Representative Fred Upton, Chair
House Energy and Commerce Committee

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressman Upton,

The undersigned Michigan health professionals, health affected, environmental and faith-based organizations have been 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 moved 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 fails to call for immediate action to protect people from existing harmful chemicals, allows new chemicals to enter the market without adequate health and safety review, allows the chemical industry to keep health and safety information secret from American families, and fails to provide for specific action to protect those most vulnerable to chemical hazards.

The weak proposal has implications for the health of residents and well as ecosystems in the Great Lakes basin. Many people in the region depend on the lakes for food and water and on the $7 billion fisheries industry and $16 billion tourism industry. Some of the most important threats to these economic engines in our region have been the widespread dispersal of untested and hazardous chemicals that have ended up in the air, water, sediment and in the food chain. The Great Lakes ecosystem is extraordinarily vulnerable and particularly susceptible to persistent chemicals that can leach out of consumer products into the environment during manufacture, use, and disposal.

One of the few bright spots of public health protection under existing TSCA is EPA's authority to review restrict Significant New Use Rules (SNURs). SNURs are unfortunately rolled back in section 5(a)(3) of the Act. This would make it very difficult for the EPA to regulate significant new uses of chemicals in products for the first time.

The Chemicals in Commerce Act also would weaken the EPA's authority to review and restrict new chemicals, stating that the EPA can only prevent a new chemical from entering commerce if it finds that the chemical is "likely to present an unreasonable risk of injury." This is a much higher standard than in current TSCA, in which EPA may restrict new chemicals that "may present" an unreasonable risk or are expected to have substantial production volume and significant exposure potential. Moreover, the Act sets up a catch-22 on safety assessment because the EPA would also not be able to require testing of new chemicals without the consent of the manufacturer unless the chemical is "likely to present an unreasonable risk." EPA would have to know that a chemical is hazardous before it is even allowed to require testing to evaluate that hazard.

The Act lacks a schedule for issuing and updating the list of high-priority chemicals, thereby giving no assurance that chemicals which threaten human health or the environment are assessed for safety and regulated if need be. Furthermore, chemicals may be listed as low-priority and then any further assessment of safety is expressly precluded.

Moreover, those states that have already or intend to pass laws that actually would protect public health and the environment would be hamstrung by the Act. The Act preempts state laws and regulations on chemicals under many conditions, but well before it is adequately regulated at the federal level, including designation of a chemical as low-priority or completion of the review for a new chemical subject to section 5 of TSCA.

While the act mentions "potentially exposed populations," there is no requirement for EPA to consider the risks to more vulnerable populations during chemical assessments and provide strong protections for those most vulnerable. Our coalition cannot accept a bill that does not explicitly protect the most vulnerable, including children, pregnant women, and communities disproportionately burdened by chemical exposure.

The undersigned organizations 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,

Learning Disabilities Association of Michigan
Annette Lalley
President
Lansing, MI

Michigan Breast Cancer Coalition
Evelyn R. Barrack, Ph.D.
Science Advisor
Royal Oak, MI

Michigan Psychological Association
William Bloom, PhD
Lansing, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
Ann Arbor, MI

Southeast Michigan Association of Neonatal Nurses
Joyce Stein
President
Brooklyn, MI

The Lake House
Kelsey E. Golan, LLMSW
Program Coordinator
St. Clair Shores, MI

MI Air, MI Health
Rory Neuner
Coalition Coordinator
Lansing, MI

Ecology Center
Alexis Blizman, JD
Legislative and Policy Director
Ann Arbor, MI

Michigan League of Conservation Voters
Lisa Wozniak
Executive Director
Ann Arbor, MI

Mom's Clean Air Force, Michigan
Wibke Heymach
Program Manager
Ann Arbor, MI

Michigan Environmental Council
Tina Reynolds
Health Policy Director
Lansing, MI

Voices for Earth Justice
Patty Gillis
Executive Director
Southfield, MI

West Michigan Environmental Action Council
Nicholas Occhipinti, MPP
Policy and Community Activism Director
Grand Rapids, MI

Clean Water Action
Nic Clark
Michigan Director
Lansing, MI

Legislative and Political Director
Mike Berkowitz
Sierra Club Michigan Chapter
Lansing, MI

Citizens for Alternatives to Chemical Contamination
Connie Beauvais
Secretary
Lake Station, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
339 E. Liberty St. Ste. 300
Ann Arbor, MI 48104
734-368-9278
Rebecca@ecocenter.org

Representative Henry Waxman, Ranking Member
House Energy and Commerce Committee

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressman Waxman,

The undersigned Michigan health professionals, health affected, environmental and faith-based organizations have been 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 moved 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 fails to call for immediate action to protect people from existing harmful chemicals, allows new chemicals to enter the market without adequate health and safety review, allows the chemical industry to keep health and safety information secret from American families, and fails to provide for specific action to protect those most vulnerable to chemical hazards.

The weak proposal has implications for the health of residents and well as ecosystems in the Great Lakes basin. Many people in the region depend on the lakes for food and water and on the $7 billion fisheries industry and $16 billion tourism industry. Some of the most important threats to these economic engines in our region have been the widespread dispersal of untested and hazardous chemicals that have ended up in the air, water, sediment and in the food chain. The Great Lakes ecosystem is extraordinarily vulnerable and particularly susceptible to persistent chemicals that can leach out of consumer products into the environment during manufacture, use, and disposal.

One of the few bright spots of public health protection under existing TSCA is EPA's authority to review restrict Significant New Use Rules (SNURs). SNURs are unfortunately rolled back in section 5(a)(3) of the Act. This would make it very difficult for the EPA to regulate significant new uses of chemicals in products for the first time.

The Chemicals in Commerce Act also would weaken the EPA's authority to review and restrict new chemicals, stating that the EPA can only prevent a new chemical from entering commerce if it finds that the chemical is "likely to present an unreasonable risk of injury." This is a much higher standard than in current TSCA, in which EPA may restrict new chemicals that "may present" an unreasonable risk or are expected to have substantial production volume and significant exposure potential. Moreover, the Act sets up a catch-22 on safety assessment because the EPA would also not be able to require testing of new chemicals without the consent of the manufacturer unless the chemical is "likely to present an unreasonable risk." EPA would have to know that a chemical is hazardous before it is even allowed to require testing to evaluate that hazard.

The Act lacks a schedule for issuing and updating the list of high-priority chemicals, thereby giving no assurance that chemicals which threaten human health or the environment are assessed for safety and regulated if need be. Furthermore, chemicals may be listed as low-priority and then any further assessment of safety is expressly precluded.

Moreover, those states that have already or intend to pass laws that actually would protect public health and the environment would be hamstrung by the Act. The Act preempts state laws and regulations on chemicals under many conditions, but well before it is adequately regulated at the federal level, including designation of a chemical as low-priority or completion of the review for a new chemical subject to section 5 of TSCA.

While the act mentions "potentially exposed populations," there is no requirement for EPA to consider the risks to more vulnerable populations during chemical assessments and provide strong protections for those most vulnerable. Our coalition cannot accept a bill that does not explicitly protect the most vulnerable, including children, pregnant women, and communities disproportionately burdened by chemical exposure.

The undersigned organizations 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,

Learning Disabilities Association of Michigan
Annette Lalley
President
Lansing, MI

Michigan Breast Cancer Coalition
Evelyn R. Barrack, Ph.D.
Science Advisor
Royal Oak, MI

Michigan Psychological Association
William Bloom, PhD
Lansing, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
Ann Arbor, MI

Southeast Michigan Association of Neonatal Nurses
Joyce Stein
President
Brooklyn, MI

The Lake House
Kelsey E. Golan, LLMSW
Program Coordinator
St. Clair Shores, MI

MI Air, MI Health
Rory Neuner
Coalition Coordinator
Lansing, MI

Ecology Center
Alexis Blizman, JD
Legislative and Policy Director
Ann Arbor, MI

Michigan League of Conservation Voters
Lisa Wozniak
Executive Director
Ann Arbor, MI

Mom's Clean Air Force, Michigan
Wibke Heymach
Program Manager
Ann Arbor, MI

Michigan Environmental Council
Tina Reynolds
Health Policy Director
Lansing, MI

Voices for Earth Justice
Patty Gillis
Executive Director
Southfield, MI

West Michigan Environmental Action Council
Nicholas Occhipinti, MPP
Policy and Community Activism Director
Grand Rapids, MI

Clean Water Action
Nic Clark
Michigan Director
Lansing, MI

Legislative and Political Director
Mike Berkowitz
Sierra Club Michigan Chapter
Lansing, MI

Citizens for Alternatives to Chemical Contamination
Connie Beauvais
Secretary
Lake Station, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
339 E. Liberty St. Ste. 300
Ann Arbor, MI 48104
734-368-9278
Rebecca@ecocenter.org

Representative John Dingell, Member
House Energy and Commerce Subcommittee on Environment and the Economy

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressman Dingell,

The undersigned Michigan health professionals, health affected, environmental and faith-based organizations have been 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 moved 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 fails to call for immediate action to protect people from existing harmful chemicals, allows new chemicals to enter the market without adequate health and safety review, allows the chemical industry to keep health and safety information secret from American families, and fails to provide for specific action to protect those most vulnerable to chemical hazards.

The weak proposal has implications for the health of residents and well as ecosystems in the Great Lakes basin. Many people in the region depend on the lakes for food and water and on the $7 billion fisheries industry and $16 billion tourism industry. Some of the most important threats to these economic engines in our region have been the widespread dispersal of untested and hazardous chemicals that have ended up in the air, water, sediment and in the food chain. The Great Lakes ecosystem is extraordinarily vulnerable and particularly susceptible to persistent chemicals that can leach out of consumer products into the environment during manufacture, use, and disposal.

One of the few bright spots of public health protection under existing TSCA is EPA's authority to review restrict Significant New Use Rules (SNURs). SNURs are unfortunately rolled back in section 5(a)(3) of the Act. This would make it very difficult for the EPA to regulate significant new uses of chemicals in products for the first time.

The Chemicals in Commerce Act also would weaken the EPA's authority to review and restrict new chemicals, stating that the EPA can only prevent a new chemical from entering commerce if it finds that the chemical is "likely to present an unreasonable risk of injury." This is a much higher standard than in current TSCA, in which EPA may restrict new chemicals that "may present" an unreasonable risk or are expected to have substantial production volume and significant exposure potential. Moreover, the Act sets up a catch-22 on safety assessment because the EPA would also not be able to require testing of new chemicals without the consent of the manufacturer unless the chemical is "likely to present an unreasonable risk." EPA would have to know that a chemical is hazardous before it is even allowed to require testing to evaluate that hazard.

The Act lacks a schedule for issuing and updating the list of high-priority chemicals, thereby giving no assurance that chemicals which threaten human health or the environment are assessed for safety and regulated if need be. Furthermore, chemicals may be listed as low-priority and then any further assessment of safety is expressly precluded.

Moreover, those states that have already or intend to pass laws that actually would protect public health and the environment would be hamstrung by the Act. The Act preempts state laws and regulations on chemicals under many conditions, but well before it is adequately regulated at the federal level, including designation of a chemical as low-priority or completion of the review for a new chemical subject to section 5 of TSCA.

While the act mentions "potentially exposed populations," there is no requirement for EPA to consider the risks to more vulnerable populations during chemical assessments and provide strong protections for those most vulnerable. Our coalition cannot accept a bill that does not explicitly protect the most vulnerable, including children, pregnant women, and communities disproportionately burdened by chemical exposure.

The undersigned organizations 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,

Learning Disabilities Association of Michigan
Annette Lalley
President
Lansing, MI

Michigan Breast Cancer Coalition
Evelyn R. Barrack, Ph.D.
Science Advisor
Royal Oak, MI

Michigan Psychological Association
William Bloom, PhD
Lansing, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
Ann Arbor, MI

Southeast Michigan Association of Neonatal Nurses
Joyce Stein
President
Brooklyn, MI

The Lake House
Kelsey E. Golan, LLMSW
Program Coordinator
St. Clair Shores, MI

MI Air, MI Health
Rory Neuner
Coalition Coordinator
Lansing, MI

Ecology Center
Alexis Blizman, JD
Legislative and Policy Director
Ann Arbor, MI

Michigan League of Conservation Voters
Lisa Wozniak
Executive Director
Ann Arbor, MI

Mom's Clean Air Force, Michigan
Wibke Heymach
Program Manager
Ann Arbor, MI

Michigan Environmental Council
Tina Reynolds
Health Policy Director
Lansing, MI

Voices for Earth Justice
Patty Gillis
Executive Director
Southfield, MI

West Michigan Environmental Action Council
Nicholas Occhipinti, MPP
Policy and Community Activism Director
Grand Rapids, MI

Clean Water Action
Nic Clark
Michigan Director
Lansing, MI

Legislative and Political Director
Mike Berkowitz
Sierra Club Michigan Chapter
Lansing, MI

Citizens for Alternatives to Chemical Contamination
Connie Beauvais
Secretary
Lake Station, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
339 E. Liberty St. Ste. 300
Ann Arbor, MI 48104
734-368-9278
Rebecca@ecocenter.org

Representative Mike Rogers, Member
House Energy and Commerce Committee

RE: Chemicals in Commerce Act Discussion Draft

Dear Congressman Rogers,

The undersigned Michigan health professionals, health affected, environmental and faith-based organizations have been 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 moved 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 fails to call for immediate action to protect people from existing harmful chemicals, allows new chemicals to enter the market without adequate health and safety review, allows the chemical industry to keep health and safety information secret from American families, and fails to provide for specific action to protect those most vulnerable to chemical hazards.

The weak proposal has implications for the health of residents and well as ecosystems in the Great Lakes basin. Many people in the region depend on the lakes for food and water and on the $7 billion fisheries industry and $16 billion tourism industry. Some of the most important threats to these economic engines in our region have been the widespread dispersal of untested and hazardous chemicals that have ended up in the air, water, sediment and in the food chain. The Great Lakes ecosystem is extraordinarily vulnerable and particularly susceptible to persistent chemicals that can leach out of consumer products into the environment during manufacture, use, and disposal.

One of the few bright spots of public health protection under existing TSCA is EPA's authority to review restrict Significant New Use Rules (SNURs). SNURs are unfortunately rolled back in section 5(a)(3) of the Act. This would make it very difficult for the EPA to regulate significant new uses of chemicals in products for the first time.

The Chemicals in Commerce Act also would weaken the EPA's authority to review and restrict new chemicals, stating that the EPA can only prevent a new chemical from entering commerce if it finds that the chemical is "likely to present an unreasonable risk of injury." This is a much higher standard than in current TSCA, in which EPA may restrict new chemicals that "may present" an unreasonable risk or are expected to have substantial production volume and significant exposure potential. Moreover, the Act sets up a catch-22 on safety assessment because the EPA would also not be able to require testing of new chemicals without the consent of the manufacturer unless the chemical is "likely to present an unreasonable risk." EPA would have to know that a chemical is hazardous before it is even allowed to require testing to evaluate that hazard.

The Act lacks a schedule for issuing and updating the list of high-priority chemicals, thereby giving no assurance that chemicals which threaten human health or the environment are assessed for safety and regulated if need be. Furthermore, chemicals may be listed as low-priority and then any further assessment of safety is expressly precluded.

Moreover, those states that have already or intend to pass laws that actually would protect public health and the environment would be hamstrung by the Act. The Act preempts state laws and regulations on chemicals under many conditions, but well before it is adequately regulated at the federal level, including designation of a chemical as low-priority or completion of the review for a new chemical subject to section 5 of TSCA.

While the act mentions "potentially exposed populations," there is no requirement for EPA to consider the risks to more vulnerable populations during chemical assessments and provide strong protections for those most vulnerable. Our coalition cannot accept a bill that does not explicitly protect the most vulnerable, including children, pregnant women, and communities disproportionately burdened by chemical exposure.

The undersigned organizations 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,

Learning Disabilities Association of Michigan
Annette Lalley
President
Lansing, MI

Michigan Breast Cancer Coalition
Evelyn R. Barrack, Ph.D.
Science Advisor
Royal Oak, MI

Michigan Psychological Association
William Bloom, PhD
Lansing, MI

Michigan Network for Children's Environmental Health
Rebecca Meuninck
Campaign Director
Ann Arbor, MI

Southeast Michigan Association of Neonatal Nurses
Joyce Stein
President
Brooklyn, MI

The Lake House
Kelsey E. Golan, LLMSW
Program Coordinator
St. Clair Shores, MI

MI Air, MI Health
Rory Neuner
Coalition Coordinator
Lansing, MI

Ecology Center
Alexis Blizman, JD
Legislative and Policy Director
Ann Arbor, MI

Michigan League of Conservation Voters
Lisa Wozniak
Executive Director
Ann Arbor, MI

Mom's Clean Air Force, Michigan
Wibke Heymach
Program Manager
Ann Arbor, MI

Michigan Environmental Council
Tina Reynolds
Health Policy Director
Lansing, MI

Voices for Earth Justice
Patty Gillis
Executive Director
Southfield, MI

West Michigan Environmental Action Council
Nicholas Occhipinti, MPP
Policy and Community Activism Director
Grand Rapids, MI

Clean Water Action
Nic Clark
Michigan Director
Lansing, MI

Legislative and Political Director
Mike Berkowitz
Sierra Club Michigan Chapter
Lansing, MI

Citizens for Alternatives to Chemical Contamination
Connie Beauvais
Secretary
Lake Station, MI