FRED UPTON, MICHIGAN
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6115
Majority (202) 225–2927
Minority (202) 225–3641

July 15, 2014

Ms. Jennifer Thomas
Director, Federal Government Affairs
Alliance of Automobile Manufacturers
803 7th Street, N.W., Suite 300
Washington, D.C. 20001

Dear Ms. Thomas:

Thank you for appearing before the Subcommittee on Environment and the Economy on Wednesday, March 12, 2014, to testify at the hearing on the discussion draft entitled the "Chemicals in Commerce Act."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions and requests with a transmittal letter by the close of business on Tuesday, July 29, 2014. Your responses should be mailed to Nick Abraham, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed to Nick.Abraham@mail.house.gov.

.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

John Shimkus
Chairman
Subcommittee on Environment and the Economy

cc: The Honorable Paul Tonko, Ranking Member, Subcommittee on Environment and the Economy

Attachment

The Honorable Henry A. Waxman

Some automotive replacement parts have been demonstrated to be significant sources of chemical exposures and to pose significant risks, including asbestos brake pads, lead wheel weights, and mercury switches. Progress has been made through TSCA actions to reduce the risk from mercury switches, and many of your members have voluntarily joined the National Lead Free Wheel Weight Initiative. You cite the progress in eliminating those risky parts, and the flame retardant deca-BDE as success stories in your testimony. Yet, at the same time, you argue for a "full outright exemption" from TSCA requirements for automotive replacement parts.

1. Do you believe that existing TSCA regulations for mercury switches should be eliminated?

2. Do you believe that the phase out of lead wheel weights should be reversed?

3. Do you believe that a reformed TSCA should be barred from addressing the risks posed by asbestos brake pads?

4. In general, where an automotive replacement part itself poses or contributes to an unreasonable risk to human health or the environment, do you think it should be exempt from regulation under TSCA?

In addition to federal actions under TSCA to address mercury switches, some states have passed laws to minimize the risks posed by such switches. For example, since 2006, Illinois has had in effect a law that requires recordkeeping for the removal of mercury switches from end-of-life cars and prohibits people from falsely claiming that mercury switches have been removed.

5. Has that law impacted your members' ability to manufacture and distribute cars in the United States or in Illinois?

6. Do you believe that law should be preempted?

7. Please provide a list of any and all state laws that have impeded your members' ability to manufacture and distribute cars in the United States.