

**Statement of Chairman Frank Pallone, Jr.
Committee on Energy and Commerce
Subcommittee on the Environment and Climate Change
Hearing on “Mismanaging Chemical Risks: EPA’s Failure
to Protect Workers”**

March 13, 2019

Today we are here to continue this Committee’s critical oversight work of the Trump Administration by reviewing the Environmental Protection Agency’s mismanagement of chemical risks and its harmful impacts on America’s workers.

Two years ago this Committee came together after years of work to pass the Frank R. Lautenberg Chemical Safety for the 21st Century Act to finally reform the Toxic Substances Control Act, commonly known as TSCA. One of the most important protections included in that bill, from my perspective, was the new requirement that EPA ensure protection for vulnerable

populations, including infants, pregnant women, environmental justice communities and workers.

Explicit worker protections are so essential because workers bear the brunt of chemical exposures and harm.

In fact, according to the National Institute of Environmental Health Sciences, occupational diseases kill more than 50,000 workers in our nation each year. About a third of those cases are cancer. Globally, the United Nations reported last year that toxic exposures at work kill one worker every 15 seconds. To put that in perspective, by the time my five minutes are up, toxic exposures will have killed 20 workers worldwide.

Clearly our track record of protecting workers is appalling. Many of us who worked to update TSCA hoped it would help,

but unfortunately, I fear EPA's implementation of the Act is moving us in the wrong direction.

Methylene (METH-A-LEAN) Chloride is a prime example. EPA began a risk assessment on methylene chloride before we completed action on TSCA reform. That assessment looked at workplace exposures, including numerous worker deaths. Based on that assessment, the Obama EPA proposed a complete ban on methylene chloride. Now, the Trump EPA is trying to keep commercial uses in place, leaving workers at unacceptable risk.

Asbestos is another serious example. Studies documenting worker deaths from asbestos exposure go back to the 1960's, and it was among EPA's first targets when TSCA was originally enacted back in 1976. When we passed the Lautenberg Act, we

hoped it would fix the flaws in TSCA and allow EPA to finally ban asbestos, 40 years after it began the regulatory process.

But EPA is now working on an asbestos risk evaluation that ignores all exposures to “legacy asbestos” which we all know is a major driver of risk. And last year, the agency adopted a Significant New Use Rule that will allow new uses of asbestos in consumer products. EPA political leadership took this action over the objections of the non-partisan career staff who were worried about the very real public health impacts.

Because of these actions, I have lost confidence in EPA’s ability to implement this law and ban asbestos. That is why, last week, I joined Reps. Bonamici, Slotkin, and others in sponsoring the Alan Reinstein Ban Asbestos Now Act. It is long

past time that we banned this dangerous substance which continues to kill American workers.

The Trump EPA's attack on workers goes beyond its refusal to properly implement TSCA. The Clean Air Act's Risk Management Planning program should play an essential role in protecting workers and communities from toxic chemicals exposures, but the Trump EPA has repeatedly tried to weaken it. They've also tried to weaken farmworker protection efforts, but this Congress recently passed legislation that would prevent EPA from rolling back farmworker protections for the time being.

And, finally, I must mention the unfortunate fact that workers are among those most endangered and impacted by climate change. Extreme weather and natural disasters pose

serious threats to emergency responders, chemical plant workers, refinery workers and more. The Trump EPA has repeatedly undermined national efforts to address climate change, leaving our workers and communities vulnerable to ever worsening extreme weather.

This hearing is just the beginning of our efforts to hold EPA accountable to the people it is supposed to protect. I hope we can work together, in a bipartisan fashion, to ensure EPA is meeting its statutory obligations and mission to protect human health and the environment.