

**Opening Statement of Republican Leader John Shimkus**  
**Subcommittee on Environment and Climate Change**  
**“Mismanaging Chemical Risks: EPA’s Failure to Protect Workers”**  
**March 13, 2019**  
*As Prepared for Delivery*

Thank you, Mr. Chairman. I appreciate that we are having a hearing on chemical management and I want to congratulate you for calling this hearing.

Not too long ago, when I had your chair, I stated my sincere interest in doing oversight of this area – particularly as it related to EPA’s implementation of reforms this committee made to Title I of the Toxic Substances Control Act.

Regrettably, within the confines of such factors as witness availability and the committee schedule, there simply was not time. I know that you now control the agenda, but I hope that you will convene a future hearing to give this committee time to more thoroughly inspect what is happening to new chemicals under TSCA.

The GAO’s recent report indicating a tripling of new chemicals submissions being withdrawn, the persistent backlog of applications and untimely completion of reviews, and the significant drop in the rate of commenced cases are troubling pieces of information. Together, this suggests to me that the current new chemicals process is adversely affecting innovation in new chemicals – resulting in a de facto favoring of existing and more problematic chemicals.

Moving to the subject of today's hearing, I think it is important that workers are protected in their workplace. Whether an accident is related to a structural hazard or a chemical hazard, workers – union and non-union – should be protected through federal or state law, industrial hygiene standards, or collective bargaining agreements.

That said, and I say this with great respect for you, Mr. Chairman, I am a bit perplexed by this hearing.

From a Federal perspective, the main thrust of worker safety has been given to the Occupational Safety and Health Administration (OSHA) and its hundreds of professionals. Yet today's hearing is claiming EPA is letting workers down?

From my perspective, this hearing feels more like an airing of grievances along the lines of a civil court proceeding rather than a fact-finding mission. Neither OSHA nor EPA is here to testify on the work they have done or to confront the accusations of our panelists. Truth be told, I don't know if they were even asked to appear.

From my perspective EPA and OSHA have different missions but should work together and share information and expertise rather than seek out ways to do each other's jobs. If any member of this subcommittee sees that relationship differently – as much as it pains me to suggest something is not jurisdictional to our committee – they should contact the House Education and Labor Committee about

beginning to evaluate what statutory changes need to occur and are warranted to the OSH Act.

I want to thank our witnesses for being with us today. I do appreciate your time and hope you understand that a difference in means is not a dispute on the ends.

I thank the Chairman for this time and want to let him know how much I have appreciated his friendship in the past. I am glad we are looking at chemicals management and I look forward to hopefully more oversight of specific aspects of TSCA.

If no one else wants my remaining time, I will yield back.