



National Association of Home Builders

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Government Affairs

James W. Tobin III
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May 7, 2019

The Honorable Paul Tonko
Chairman
House Subcommittee on
Environment and Climate Change
2369 Rayburn House Office Building
Washington, DC 20515

The Honorable John Shimkus
Ranking Member
House Subcommittee on
Environment and Climate Change
2217 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Tonko, Ranking Member Shimkus:

On behalf of the approximately 140,000 members of the National Association of Home Builders (NAHB), I would like to urge you to postpone congressional action on H.R. 1603, the "Alan Reinstein Ban Asbestos Now Act of 2019," until the Environmental Protection Agency (EPA) has successfully completed its risk evaluation of asbestos as required by the "2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act."

As builders and remodelers, our members care about the safety of building material products we install in our customers' homes, including minimizing potential exposure risks to harmful chemicals during the demolition, renovation, and construction process to our customers and workers. Our members take every precaution in preventing building materials containing asbestos from being used in residential housing.

In 2016, the "Frank R. Lautenberg Chemical Safety for the 21st Century Act" was signed into law amending the Toxic Substances Control Act (TSCA) and establishing a series of new responsibilities. A key amendment was the requirement for EPA to conduct risk evaluations for a specific category of chemicals that are already in commerce. In 2017, EPA published a list of the ten chemicals that initially would be subject to the chemical risk evaluation process. Amongst those chemicals is asbestos, a mineral fiber that occurs naturally in rock and soil. To complete the risk analysis, EPA must detail the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations of the chemical at issue. The draft assessments are expected to be released later this year for public comment.

NAHB believes EPA should have the opportunity to carry out its required risk assessment before Congress takes any action on H.R. 1603. Because this assessment will take a comprehensive look at all aspects of asbestos, presumably including existing federal regulations governing the removal or demolition of asbestos-containing materials, such as the Clean Air Act's National Emission Standard for Hazardous Air Pollutants (NESHAP) and worker protection requirements that are governed by the Occupational Safety and Health Administration, we believe the results of the analysis will help address many of the issues within the proposed legislation.

For these reasons, Congress must allow the EPA to conclude its required TSCA risk evaluation before taking any action. Thank you for considering our views on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'James W. Tobin III', is written over a light blue horizontal line.

James W. Tobin III