



T O X I C - F R E E L E G A C Y C O A L I T I O N

4649 SUNNYSIDE AVENUE N., SUITE 540, SEATTLE WA 98103 • 206-632-1545

WWW.TOXICFREELEGACY.ORG

(VIA FAX)

June 3, 2010

The Honorable Jay Inslee
United States House of Representatives
403 Cannon House Office Building
Washington, D.C. 20515-4701

Dear Congressman Inslee,

As members of the Toxic-Free Legacy Coalition, a coalition of over 50 health, consumer, and environmental organizations, and affiliated organizations, we are writing to ask you to support and strengthen the Safe Chemicals Act of 2010, which was recently introduced by Chairman Bobby Rush (D-IL) and Chairman Henry Waxman (D-CA) as a discussion draft of the Toxic Chemical Safety Act. In general, the proposal represents a major overhaul of the outdated Toxic Substances Control Act of 1976. However, several areas must be improved for the bill to fully achieve the goal of protecting public health and the environment from harmful chemicals.

As you know, Washington state is a leader in protecting the public health and environment from toxic chemicals. Washington was the first state to ban the toxic flame retardant deca-BDE in 2007; passed the toughest standards on lead, cadmium, and phthalates in toys in 2008; and most recently became only one of a handful of states to phase out the use of the hormone-disruptor bisphenol A (BPA) in children's dishware. The *President's Report On Cancer*, just released this month, specifically points to Washington state's chemical policies as examples of the type of federal policies needed to protect public health from cancer-causing chemicals.

States like Washington play an important role in advancing chemicals policy by demonstrating that stronger standards are possible in the real world. Now it is time for change at the federal level and we welcome the much-needed reform of current law.

While the discussion draft requires basic health and safety information on chemicals, requires chemicals to eventually meet a safety standard, and protects communities disproportionately impacted by chemicals, it presents three serious shortcomings that must be addressed in subsequent bill versions. Specifically, we urge the following changes be made:

- **New chemicals should not be allowed on the market without a safety determination.** Shockingly, the draft allows new chemicals onto the market without requiring they meet a minimum safety standard. This provision undermines one of the core goals of reform that is widely understood by the public- that chemicals should have to be proven safe *before* they are allowed on the market.
- **Persistent, bioaccumulative toxic Chemicals (PBTs) should be phased out except for critical uses.** For Washington state, and the rest of the nation, the legislation should require a phase out of PBTs except for critical uses. The draft recognizes that PBTs are different than other chemicals, but it defers to EPA to develop methodology for evaluating them. Washington state already has slated PBTs for elimination because of their devastating impacts on health and the environment. PBT chemicals like the toxic-flame retardants PBDEs contaminate our homes, environment, and bodies and are passed onto children in the womb and through breastfeeding. Once a PBT chemical is released into the environment, they are expensive to clean up as evidenced by the millions spent to clean up PCBs in Puget Sound and the Spokane River. Puget Sound's orca whales have become one of the most contaminated populations of marine mammals in the world, in part because of PCBs in the Puget Sound food chain.
- **Cancer-causing and other dangerous chemicals should be immediately reduced and substituted with safer chemicals.** While the bill recognizes specifically recognizes other harmful chemicals such as formaldehyde and BPA, it does not require their reduction or elimination from our everyday lives. Chemicals that we know are harmful- carcinogens, mutagens, developmental toxicants, and endocrine disruptors-- must be immediately reduced and companies must move to safer alternatives.

Children and families across Washington state are exposed to chemicals found in everyday products and are asking for your leadership. Puget Sound, the Spokane River, the Yakima River, and many other water bodies are contaminated with chemicals that harm wildlife and our health. We have an opportunity to pass federal policy that will protect our families and complement our work at the state level. But we need your help. We urge you to help make the necessary improvements to make this bill as strong as it can be.

Please know that there is strong support in Washington for the Safe Chemicals Act and improvements. We look forward to working with you on making this a strong bill that will protect public health, the environment, and our local economies.

Thank you for your attention to this important issue. We look forward to working with you, Congressmen Waxman and Rush, and Committee members to ensure meaningful reform of the Toxic Substances Control Act. Please feel free to contact Laurie Valeriano, policy director for the Washington Toxics Coalition 206-632-1545 x114, if you have any questions or concerns.

Sincerely,

Maureen Judge, Washington Toxics Coalition

Amy Beliveau, Planned Parenthood VOTES! Washington

Cherie Eichholz, Washington Physicians for Social Responsibility

Judy Huntington, MN, RN, Washington State Nurses Association

Jeff Bernstein, WashPIRG

Kathy Fletcher, People For Puget Sound

Leanne Barnes, Earth Ministry

Sue Elliott, Arc of Washington

Steve Gilbert PhD, DABT, Institute for Neurotoxicology and Neurological Disorders

Kurt Fritts, Washington Conservation Voters

Joan Crooks, Washington Environment Council

Heather Shute Environment Washington

Mike Petersen, Lands Council

Thea Levkovitz, Duwamish River Cleanup Coalition

Jim Puckett, Basel Action Network

Karen Ahern, Coalition for Environmentally Safe Schools

Dave Batker, Earth Economics

Gerry Pollet, Heart of America Northwest

Will Anderson, Green Vegan

Beverly Setzer, Snohomish co-op preschool

Arron Ostrom, FUSE

Alice Woldt, Washington Association of Churches

Steve Anthes, Kettle Range Conservation Group

Suellen Mele, Washington Citizens for Resource Conservation

Leslie Ann Rose, Citizens for a Healthy Bay

Paula J. Del Giudice, Pacific Northwest Pollution Prevention Resource Center