

# TOXICS/CHEMICAL REFORM

Americans are exposed to hundreds, perhaps thousands, of chemicals in their daily lives—in their homes, schools and workplaces—starting even before they are born. Few of these chemicals have been fully tested for their ability to cause cancer, birth defects, learning disabilities or other chronic illness or disease, and even current uses of chemicals known to be unsafe—like asbestos—remain unregulated. The law intended to protect the public from these chemicals, the Toxic Substances Control Act (TSCA), is broken, and needs to be repaired, via legislation titled the Safe Chemicals Act.

Meanwhile, independent government programs to assess the safety of chemicals—including those at the Environmental Protection Agency (EPA) and the National Toxicology Program—are under attack by the chemical industry.



## I. PRIMARY STATUTES AND PROGRAMS

- The Toxic Substances Control Act (TSCA) – First passed in 1976, and administered by EPA, TSCA is widely considered to be a failure; it is the one environmental statute from the 1970s that has done little to accomplish its intended goals. It has never been reauthorized. (Note: Pesticides are regulated under another, more effective statute – the Federal Insecticide, Fungicide and Rodenticide Act, or FIFRA.)
- EPA's Integrated Risk Information System (IRIS) program conducts health assessments of toxic chemicals that contaminate our homes, drinking water and air. The IRIS program sets “reference concentrations (RfC) and doses (RfD).” These are the highest lifetime exposure levels believed not to cause appreciable harm. RfCs cover exposure through inhalation and RfDs apply to exposure through ingestion. IRIS assessments have led to important regulations, including protective standards for air, drinking water and land cleanups.

- The interagency National Toxicology Program (NTP) is a non-regulatory body headquartered at the National Institutes of Health's National Institute of Environmental Health Sciences (NIEHS). NTP issues the biennial Report on Carcinogens (ROC) and conducts and assesses research on chemical substances. The Report on Carcinogens has helped to inform the public about toxic chemical substances and other agents known to, or reasonably anticipated to cause cancer.

## II. MAJOR CONCERNS

- Of the 62,000 industrial chemicals in the marketplace when TSCA was enacted in 1976, EPA has required testing for fewer than 300, and has partially regulated only five.
- For the 22,000 chemicals introduced into commerce since 1976, chemical manufacturers have provided little or no information to the EPA regarding their potential health or environmental impacts.
- Rates of chronic illness and disease are on the rise, including several kinds of cancer, learning disabilities, autism, asthma, and birth defects. Exposure to toxics could be a contributing factor.



For more information, please contact:

**Daniel Rosenberg**  
drosenberg@nrdc.org  
(202) 289-2398  
 switchboard.nrdc.org/  
blogs/drosenberg

[www.nrdc.org/policy](http://www.nrdc.org/policy)  
[www.facebook.com/nrdc.org](https://www.facebook.com/nrdc.org)  
[www.twitter.com/nrdc](https://www.twitter.com/nrdc)



- Consumers have little or no information on the thousands of chemicals used in all kinds of products including building materials, carpets, furniture, cars, toys, electronics, and household cleaners. Everyone is exposed to these chemicals, every day, even before we are born.

## PUBLIC OPINION

- **OVERWHELMING SUPPORT FOR STRENGTHENING TSCA.** Nationwide polling conducted by Public Opinion Strategies in June 2012 demonstrates the public's overwhelming support for reform to strengthen regulation of toxic chemicals. Those national results are supported by recent polling in ten states.
- **68% WANT TOUGHER REGULATIONS.** Fully 68% of voters indicated support for stricter regulation of chemicals produced and used in products, including 79% of Democrats, 66% of Independents, 57% of Republicans and 51% of tea party voters.
- **77% WANT STRONGER LEGISLATION.** More than 3/4 (77%) supported legislation along the lines of the Safe Chemicals Act including 90% of Democrats, 75% of Independents, 64% of Republicans and 58% of tea party voters. 83% of women and 71% of men support such legislation. By ethnicity, the support is 85% with Hispanic Americans, 82% for African Americans and 75% of whites.

## III. UPCOMING ISSUES

- **TSCA REFORM.** TSCA reform will be an issue in the 113th Congress, initially in the Senate.
- In July 2012, the Safe Chemicals Act was voted out of the Senate Environment and Public Works Committee, the first TSCA reform bill to be voted out of a House or Senate committee since 1976.
- **RE-INTRODUCTION OF SAFE CHEMICALS ACT.** Senator Lautenberg (D-NJ) is expected to re-introduce the Safe Chemicals Act in this Congress. To make TSCA more effective, it would for the first time, require thousands of industrial chemicals to meet a health-protective safety standard, place the burden of proof on the chemical industry to demonstrate that its products are safe (as is required now for pesticides and pharmaceuticals), expand the public's right to know about health effects and uses of industrial chemicals, and give EPA authority to take expedited action to reduce or eliminate exposure to chemicals we already know are unsafe.
- **INDUSTRY BACKED ALTERNATIVE.** Senator Vitter (R-LA) is expected to introduce an industry-backed alternative bill to reform TSCA. That bill is expected to have an extremely weak safety standard (which only a small number of chemicals would be required to meet), limited authority for EPA to take action to protect the public, insufficient public right to know about health effects and uses of chemicals, and preemption of states from taking action on chemicals. Such legislation would fail to protect or inform the public.
- **BUDGET RIDERS.** As in the past, provisions (riders) may be proposed in spending bills to block the next Report on Carcinogens and to weaken or delay IRIS assessments.