

June 12, 2013

Senator Barbara Boxer
112 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Boxer:

As organizations that have fought for decades to protect Californians from the dangers of toxic chemicals, we are writing to express our serious concerns about the Chemical Safety Improvement Act (CSIA) introduced by Senators David Vitter and the late Frank Lautenberg.

While the Toxic Substances Control Act (TSCA) is highly flawed and in desperate need of an overhaul, it is critical that any reform measure provide meaningful protection for our children, communities, workers and other vulnerable populations by fixing TSCA's problems without creating new loopholes and bureaucratic dead-ends. That is the spirit of the toxic chemicals policy reform movement that has gained such dramatic momentum in recent years among consumers, parents, state policy makers and environmentally minded companies. We are extremely disappointed that the Chemical Safety Improvement Act fails to provide the policy framework needed to secure the needed protections and could, if enacted, stymie progress and undermine the long-term push for reform.

Some of our concerns with the bill include a weak safety standard, which on its face allows for "reasonable" injuries to public health from toxic chemicals. The bill contains no clear deadlines for EPA action on or assessment of chemicals, few safeguards for vulnerable populations such as children and pregnant women, and no minimum testing requirements for old or new chemicals. We are also troubled that CSIA does not seem to provide fast action on and special protections from persistent, bioaccumulative and toxic chemicals and does not protect workers or communities disproportionately affected by chemical exposures.

Furthermore, the broad language on state-level preemption could tie California's hands and prevent the state from continuing to be a leader on toxic chemical issues. While the Clean Air Act, the Clean Water Act, TSCA and many other federal environmental laws allow states to take more aggressive action to protect their residents from potential environmental threats, any such action would be severely limited under the Chemical Safety Improvement Act. For these and other reasons, the Chemical Safety Improvement Act is not acceptable in its current form.

We urge you to do all you can to strengthen this draft bill as your committee examines the issue of TSCA reform. We realize that a spirit of compromise is always essential in developing major federal legislation. In the end, however, we must have legislation that explicitly emphasizes the imperative to protect the next generation and beyond from the daily onslaught of chemicals that are polluting our bodies and the planet.

We are deeply grateful for your ongoing commitment to protecting all Americans from dangerous chemicals in their food, air, drinking water, consumer products and workplaces. Your bold leadership on this issue is needed now more than ever.

Sincerely,

Janette Robinson Flint
Executive Director
Black Women for Wellness

Annie Sartor
Policy and Campaigns Coordinator
Breast Cancer Action

Jeanne Rizzo, RN
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Jane Williams
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Executive Director
Teens Turning Green

Jora Trang
Interim Executive Director and Managing Attorney
Worksafe

cc: The Honorable Dianne Feinstein
The Honorable Henry Waxman, Rank Member House Energy & Commerce
Committee