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States Urge Federal Action on Toxic Chemicals

13 States Release Recommendations on Reform of the Toxic Substances Control Act

AUGUSTA, MAINE DECEMBER 2, 2009—Thirteen states today released a set of principles designed to ensure that the debate over reforming the nation's outdated chemical policy stays focused on protecting public health and the environment.

State regulatory leaders across the country say the 33-year-old Toxic Substances Control Act (TSCA) does not contain powerful enough tools to safely monitor and control the tens of thousands of chemicals used every day in the United States. As Congress debates TSCA's future, environmental officials in the 13 states are seeking reform of one of the nation's signature environmental laws to allow them to protect vulnerable populations by effectively identifying and regulating the most troubling chemicals.

"Current federal chemical regulations fail to adequately protect the nation's citizens and environment from toxic chemicals and unsafe products," said David Littell, Commissioner of the Maine Department of Environmental Protection. "The effects of exposure to toxic chemicals on human health, the environment, and the economy are enormous and often avoidable."

States have long been the leaders in creating innovative policies to protect public health, the environment and create jobs through groundbreaking legislation. California's Green Chemistry Initiative, for example, is working to reduce – and eventually eliminate – toxic chemicals from consumer goods. This "benign by design" approach promises to sharply cut pollution while spurring the creation of hundreds of thousands of "green jobs."

Both Maine and Washington are implementing new comprehensive chemicals policy statutes to promote safer chemicals in children's products and prioritize hazardous chemicals for further action.

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"Environmental leadership often begins at the grassroots level and works its way up to Washington, D.C. California has a long history of working with other states to share and exchange successful environmental policies that improve public

health, protect the environment and grow new, green jobs,” said Linda Adams, California’s Secretary for Environmental Protection. “We need a more innovative approach to chemical policy, to apply our best scientific solutions to today’s real-world environmental challenges, and these principles help define the important changes needed.”

The eight recommendations listed in the States’ Principles on Reform of the Toxic Substances Control Act are central to TSCA’s reform, state officials say. The principles were developed through a collaboration of 13 states – California, Connecticut, Illinois, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Oregon, Vermont and Washington.

The key recommendations in the States’ Principles on Reform of the Toxic Substances Control Act include:

- Manufacturers must demonstrate that the chemicals they use and the products they make are safe – for the public and the environment.
- Safer products and chemicals should be promoted.
- Chemical and safety information should be widely available to regulators, businesses and the public.

“Without adequate protection at the federal level, it has fallen to the states to protect people and the environment from the toxic chemicals that are causing harm. But dealing with toxic contamination after the fact is ultimately futile – the human, environmental and economic damage is already done,” said Ted Sturdevant, Director of the Washington State Department of Ecology. “We need a federal law that prevents contamination from happening in the first place, and phases out the harmful chemicals that are already in widespread use. That’s common sense, but it’s not the system we have today.”

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SEPARATE ATTACHMENT containing Principles and Signatures