



COMMITTEE ON *DEMOCRATS*  
**ENERGY & COMMERCE**  
RANKING MEMBER FRANK PALLONE, JR.

**FOR IMMEDIATE RELEASE**

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**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery  
Committee on Energy and Commerce  
Subcommittee on Environment and the Economy  
Markup of the “TSCA Modernization Act of 2015”**

I want to start by thanking the Chairman of the Subcommittee and the Chairman of the full committee for working with Democrats on the new discussion draft of the TSCA Modernization Act. This new draft includes significant improvements sought by committee democrats and responds to the concerns we heard at the hearing last month. Chair Shimkus and Chair Upton, you deserve credit for a robust collaborative process and for a strong product. I am happy to support this bill, and I hope my colleagues will join me in doing so.

This is not a finished product, and more work remains to be done. I look forward to continuing to work with the Chair as we move to full committee consideration. But already, this draft is more protective, less preemptive, and better written than any other recent TSCA reform proposal.

Improving the federal government’s ability to identify and manage risks from the chemicals manufactured and processed in this Country is critical. For 40 years, TSCA has failed

to protect human health and the environment from dangerous chemicals including lead, asbestos, benzene, and BPA. Without an effective federal program, the American public has relied on state action, consumer awareness campaigns, and when harm is not prevented, the civil justice system. People want and deserve more.

For six years now, there has been widespread agreement among industry, labor, and nongovernmental organizations that TSCA needs to be reformed. There has even been bipartisan agreement on that point, although a bipartisan package long eluded us. This draft brings us closer to reform than we have ever been.

The risks from toxic chemicals in our environment and the products we use every day are serious and pressing. It is time to act. Although this bill will not be the end of our work to address toxic chemicals, it is a strong beginning and will offer significant protections.

Under this draft, EPA will have better tools to get information about potentially dangerous chemicals. They will have more resources to review those chemicals. And they will face fewer obstacles when they move to regulate those chemicals and address risks.

The most dangerous chemicals, those that are persistent, bioaccumulative, and toxic, will receive expedited action so that we can start getting these chemicals out of our environment as soon as possible.

Decisions about what chemicals need to be regulated will be made without consideration of costs, and risks to vulnerable populations will have to be addressed.

The public will have more information about chemical risks because of greater transparency. And with time, EPA will approve chemicals that they know do not present and will not present unreasonable risks, providing consumers with safer choices.

The draft also avoids some of the significant concerns that have been raised about past proposals, such as limits on the ability of EPA to regulate articles and limits on the ability of states to be partners in enforcement. The preemption provisions in this draft are even better than the last draft, explicitly preserving state laws for air and water quality and existing state chemical laws.

Of course, this is a compromise bill and still just a draft. We are aware of some small technical edits that will be needed, as well as some larger outstanding issues including the protections for private rights of action. But I have confidence that we will continue to work to ensure that the language is clear and does what it is intended to do.

Again, Mr. Chairman, I thank you for working with Democrats on this package. I support this bill because it will empower EPA to identify and manage risks from dangerous chemicals, protecting health and the environment and preventing harm. I look forward to advancing this draft and continuing to work.

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