

SR-59, As Adopted by Senate, July 13, 2011

Senators Casperson, Pappageorge, Emmons, Moolenaar and Robertson offered the following resolution:

Senate Resolution No. 59.

A resolution to memorialize Congress to modernize the Toxic Substances Control Act (TSCA).

Whereas, Billions of pounds of chemicals are manufactured or imported in the United States each day for use in industrial processes or in the manufacture of commercial products. Many of these useful substances can be hazardous to human health or the environment in certain instances. American consumers deserve to have confidence that the products they buy are safe when used as intended; and

Whereas, A federal chemical management program should make protecting the public health, including children's health, its highest priority. Strict government oversight through a chemical management program should also strive to preserve America's role as the world's leading innovator and employer in the manufacture, use, and commercial distribution of chemicals; and

Whereas, Congress enacted the Toxic Substances Control Act (TSCA) in 1976 to regulate chemicals with the intention of preventing new and mitigating existing public health and environmental hazards. Since that law was enacted 35 years ago, scientific understanding of the public health and environmental impact of chemicals has advanced significantly. These advances in scientific knowledge need to be incorporated into the nation's chemical management program; and

Whereas, Momentum is growing for Congress to act to modernize the TSCA. A robust federal chemical management system will obviate the need for state governments to adopt different, and at times conflicting, state regulatory programs that have the potential for negative impacts on the national economy. Federal action should strengthen the TSCA to:

- (a) Ensure that chemicals are safe for their intended use;
- (b) Require the U.S. Environmental Protection Agency (EPA) to systematically prioritize chemicals for the purpose of assessing their safe use;
- (c) Require that the EPA act expeditiously and efficiently in assessing the safe use of chemicals;
- (d) Require that all involved in the manufacture, import, processing, distribution, or use of chemicals be encouraged to provide the EPA with relevant information to the extent necessary to make safety determinations;
- (e) Assure that potential risks to children from exposures to chemicals are considered in the assessment of safe use;
- (f) Empower the EPA to impose a range of risk management controls to ensure that chemicals are safe for their intended use;
- (g) Encourage companies and the EPA to work together to enhance public access to chemical health and safety information;
- (h) Require that the EPA rely on scientifically valid data and information, regardless of its source, including data and information reflecting modern advances in science and technology;
- (i) Enable the EPA to have the staff, resources, and regulatory tools it needs to ensure the safety of chemicals; and
- (j) Ensure that the TSCA remains a vehicle to promote and encourage technological innovation and the maintenance of a globally-competitive industry in the United States; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to modernize the Toxic Substances Control Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.