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State Legislators Call on Senators to Strengthen Proposed “Chemical Safety Improvement Act”

Statement of Maryland Delegate James W. Hubbard, NCEL Board Chairman

WASHINGTON – Today, 58 state legislators from 25 states submitted a letter to Senator Barbara Boxer (D-CA) and Senator David Vitter (R-LA) citing their concerns over the Chemical Safety Improvement Act, S.1009. Specifically, the legislators are raising concerns associated with language included in the bill that would preempt state action to protect the public from known toxic chemicals. The following is a statement from Maryland Delegate James W. Hubbard, Board Chairman for the National Caucus of Environmental Legislators, addressing the issue.

“For years, state legislators have been forced to take action to address toxic chemicals in our daily lives because Congress has failed to do so. Our actions have resulted in the chemical industry coming to the negotiating table and agreeing with the Food and Drug Administration to no longer use the dangerous chemical bisphenol-a (BPA) in baby products. State legislators have successfully banned the toxic flame retardant tris in Maryland, California, Connecticut and Vermont among others.

“These successes have been hard fought in state legislatures across the country because Congress has been unable to solve this problem and protect public health. Now, the chemical industry, and their allies in Congress, is trying to make an end-around the states through the so-called Chemical Safety Improvement Act.

“This legislation as written would undermine all that has been done to protect the public from toxic chemicals in the states. By banning implementation of state laws once EPA list a chemical as “high concern” and setting the bar for the states to go beyond the federal protections this legislation creates a regulatory void that will be filled with industry continuing business as usual.

“As the Chair of the National Caucus of Environmental Legislators, I urge Senators Boxer and Vitter to protect the important role of the states in protecting public health by removing language that bars state action and recognizing that federal standards should be the floor and not the ceiling when it comes to safeguarding the public.”

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NCEL is a bipartisan group of state legislators committed to providing environmentally progressive legislators with an opportunity to coordinate their activities with respect to national legislative organizations, and to share ideas both on affirmative and negative environmental issues.