

Halogenated Solvents Industry Alliance, Inc.

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MEMORANDUM IN OPPOSITION

A. 10089 (Sweeney)

S. 7070 (Perkins)

AN ACT to amend the environmental conservation law
in relation to regulation of toxic chemicals in children's
products

The Halogenated Solvents Industry Alliance, Inc. (HSIA) is an association of producers and users of chlorinated solvents, including methylene chloride, perchlorethylene, and trichloroethylene. Our members are committed to the safety and product stewardship of their products.

HSIA opposes this legislation because it is the role of the federal government to do thorough chemical regulatory reviews, not the states. Currently, all three of the solvents listed in the bill are undergoing a rigorous review under the Environmental Protection Agency's Integrated Risk Information System (IRIS), a process which includes peer review of the Agency's assessment and methods. We do not believe that the State of New York has the resources or the technical expertise to undertake such a review, nor is it appropriate for a State to duplicate the work of the Agency.

Our members conduct business in most states and believe that a patchwork of different laws will not allow them to conduct business effectively. The federal government, however, does have the resources to conduct thorough reviews and the authority to do so under the Toxic Substances Control Act. Currently Congress is working to modernize this Act, which was originally passed in 1976. Legislation has been introduced in the Senate by Senator Frank Lautenberg, and a draft House bill has been circulated by Congressmen Waxman. In addition, EPA has been working with the Obama Administration and Congress to modernize this Act.

Finally, the bill seems to be drafted without regard to federal law recently enacted to address the same issue: toxic substances in toys and other children's products. The Consumer Product Safety Improvement Act (CPSIA) imposes a host of restrictions on manufacturers and importers of children's products, defined even more broadly than in the bill. The effective framework of regulation set forth in the CPSIA (and enforceable by New York and other states' attorneys general) should be allowed to work.

Please allow Congress and the Environmental Protection Agency to continue to do their work providing a strong national system for regulating chemicals and vote NO on A. 10089/S.7070.

Respectfully,

Faye Graul
Executive Director