

HR 5820

Toxic Chemicals Safety Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Environmental Protection

Introduced: Jul 22, 2010

Current Status: Subcommittee Hearings Held.

Latest Action: Subcommittee Hearings Held. (Jul 29, 2010)

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Sponsor

Name: Rep. Rush, Bobby L. [D-IL-1]

Party: Democratic • **State:** IL • **Chamber:** House

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Rep. Serrano, Jose E. [D-NY-16]	D · NY		Sep 15, 2010
Rep. Berkley, Shelley [D-NV-1]	D · NV		Sep 22, 2010
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Sep 22, 2010
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Rep. Jackson, Jesse L., Jr. [D-IL-2]	D · IL		Sep 23, 2010
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Rep. Berman, Howard L. [D-CA-28]	D · CA		Sep 29, 2010
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Sep 29, 2010
Rep. Capps, Lois [D-CA-23]	D · CA		Sep 29, 2010
Rep. Cohen, Steve [D-TN-9]	D · TN		Sep 29, 2010
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Rep. Tonko, Paul [D-NY-21]	D · NY		Sep 29, 2010
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Nov 15, 2010
Rep. Edwards, Donna F. [D-MD-4]	D · MD		Nov 15, 2010
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Nov 15, 2010
Rep. Towns, Edolphus [D-NY-10]	D · NY		Nov 15, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Hearings By (subcommittee)	Jul 29, 2010

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

No related bills are listed.

Toxic Chemicals Safety Act of 2010 - Amends the Toxic Substances Control Act to direct the Administrator of the Environmental Protection Agency (EPA) to promulgate a rule that: (1) establishes the data that constitute the minimum data set for chemical substances (chemicals) and mixtures; and (2) requires chemical manufacturers and processors to submit their minimum data sets. Requires such manufacturers and processors to submit such minimum data sets for chemicals placed on the priority list and new chemicals. Authorizes the Administrator to require the testing of chemicals and mixtures.

Requires the Interagency Testing Committee, in forming a list of chemicals and mixtures that the Administrator should test, to give priority attention to those chemicals and mixtures which are known to cause or contribute to adverse affects on health or the environment. Revokes the limit on the number of chemicals and mixtures that may be placed on such a list.

Prohibits any person from manufacturing or processing a new chemical or a chemical for a new use unless: (1) the person notifies the Administrator about the person's intention to manufacture or process the chemical; (2) such use is a critical use; and (3) the chemical or mixture meets the safety standard under such Act.

Requires a priority list to be established that contains specified chemicals for which safety determinations shall first be made. Requires the: (1) Administrator to update and publish the list; and (2) updated list to consist of at least 300 chemicals. Authorizes the Administrator to add chemical mixtures to the list.

Requires the Administrator to apply a safety standard that takes into account aggregate exposure to chemicals or mixtures and ensures that, for all intended uses, there is a reasonable certainty that no harm will result to the public health and that the public welfare is protected. Requires: (1) manufacturers and processors to bear the burden of proving that chemicals or mixtures meet such safety standard; and (2) the Administrator to determine whether such burden has been met.

Sets forth provisions concerning: (1) biomonitoring studies regarding chemicals or any metabolite or degradation byproducts of chemicals; (2) the manufacture, processing, distribution or use of polychlorinated biphenyl; (3) declarations of manufacturing or processing chemicals or mixtures; (4) a public database of information relating to the toxicity and use of, and exposure to, chemicals and mixtures; (5) disclosures to commercial purchasers of information about the chemicals and mixtures they purchase; (6) a survey by the Administrator about mixtures; (7) exportation and importation of chemicals or mixtures; (8) conditions under which data about chemicals may be designated as confidential business information; and (9) civil actions and penalties for violations of such Act.

Prohibits any person from: (1) manufacturing, processing, distributing, using for commercial purposes, or disposing of chemicals, mixtures, or articles containing chemicals or mixtures that such person knew or had reason to know were manufactured, processed, or distributed in violation of such Act; and (2) introducing or knowingly distributing chemicals, mixtures, or articles containing chemicals or mixtures that fail to comply with labeling requirements.

Requires the Administrator to: (1) establish criteria to identify chemicals and mixtures that are persistent, bioaccumulative, and toxic; (2) list chemicals and mixtures that meet such criteria; and (3) impose conditions on manufacturing, processing, using, distributing, or disposing such chemicals and mixtures.

Requires the Administrator to: (1) enter into contracts and make grants to further understanding of the vulnerability of children to chemical substances; (2) establish the Science Advisory Board on Children's Health and Toxic Substances;

and (3) conduct, not later than two years after identifying a chemical substance which is likely to be present in human biological media at a level above that normally found and which is likely to have adverse effects on early childhood development, a biomonitoring study to determine the presence of such substance in the biological media of pregnant women and infants.

Requires the Administrator to: (1) take action to minimize the use of animals in testing of chemical substances or mixtures; (2) establish a program to create incentives for the development of safer alternatives to existing chemicals and mixtures that reduce or avoid the use and generation of hazardous chemical substances or mixtures; (3) cooperate with international efforts to develop a common protocol or electronic database relating to chemical substances and mixtures or to develop safer alternatives; (4) implement the provisions of international agreements related to chemicals and mixtures to which the U.S. becomes a party; and (5) promulgate a rule to establish criteria for the determination of disproportionate exposure to toxic chemicals, establish criteria to identify any locality that is disproportionately exposed, develop a method for data collection on and categorization of patterns of disproportionate exposure and associated adverse effects, identify and publish a list localities within the United States subject to disproportionate exposure, and develop action plans to reduce such disproportionate exposure.

Prohibits any person from manufacturing, processing, distributing, using for commercial purposes, or disposing of hexabromobiphenyl, hexachlorobenzene, hexabromodiphenyl ether and heptabromodiphenyl ether and congeners in the commercial OctaBDE mixture, pentachlorobenzene, and tetrabromodiphenyl ether and pentabromodiphenyl ether and congeners in the commercial PentaBDE mixture.

Authorizes the Administrator to exempt a substance or mixture, or particular uses of the substance or mixture, from requirements of such Act if the Administrator determines that the scientific consensus is that it does not and would not pose any risk of injury to health or the environment under any current, proposed, or anticipated levels of production, patterns of use, or exposures arising at any stage across its lifecycle.

Actions Timeline

- **Jul 29, 2010:** Subcommittee Hearings Held.
- **Jul 26, 2010:** Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
- **Jul 22, 2010:** Introduced in House
- **Jul 22, 2010:** Referred to the House Committee on Energy and Commerce.