

	NEWS FROM		
	Congressman Bobby L. Rush		
PROUDLY REPRESENTING THE PEOPLE OF THE FIRST CONGRESSIONAL DISTRICT OF ILLINOIS			
700-706 E. 79th Street Chicago, IL 60619 phone: 773-224-6500 fax: 773-224-9624	3235 W. 147 th Street Midlothian, IL 60445 phone: 708-224-6500 fax: 708-385-3860 www.house.gov/rush/	2416 Rayburn HOB Washington, DC 20515 phone: 202-225-4372 fax: 202-226-0333	

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CONTACT: Sharon Jenkins

(202) 225-4372 ofc.; (202) 431-8191 mobile
Sharon.Jenkins@mail.house.gov

- or -

Stephanie Gadlin

(773) 224-6500 ofc.; (202) 286-9829 mobile
Stephanie.Gadlin@mail.house.gov

Statement by the Honorable Bobby L. Rush, Chairman

Commerce, Trade and Consumer Protection

for the

Hearing: The Toxic Substances Control Act and Persistent, Bio-Accumulative, and Toxic Chemicals: Examining Domestic and International Actions

March 4, 2010

WASHINGTON — “Good morning. I’d like to welcome all of you here, this morning, to participate in today’s hearing on the Toxic Substances Control Act and specific efforts that have been, or need to be, taken to protect public health, and the environment, from a diverse array of toxic substances.

“Our focus, today, is on a special group of chemicals—known as PBTs—that pose unique risks to human health and environmental safety. Even at very low exposure and concentration levels in our communities, homes, workplaces and the environment, PBTs have been linked to adverse health effects in humans and animals.

“Some of these effects include cancers, genetic mutations, and the disruption of normal biological, neurological and hormonal functions.

“Examples of commonly known PBTs include unwanted wastes like mercury and dioxins. The list includes pesticides (like DDT and HCB). DDT [dichlorodiphenyltrichloroethane], of course, is a well-known synthetic pesticide. Also included in this list of potential toxins is HCB, or hexachlorobenzene, and other industrial chemicals, such as PCBs [polychlorinated biphenyls] and heavy metals, like cadmium, mercury and lead.

“The way I understand PBTs is to think of them in the following way.

“Generally speaking, the **P**, or persistence, relates to environmental safety. **P**ersistent pollutants, or toxins, are *not* bio-degradable. That means that these chemicals do not break down easily in the environment.

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You can think of them in the way you think of unwelcome house guests, who don't know when it's time to leave.

“The **B**, which stands for **B**ioaccumulative, or bioaccumulation, relates to human health and to the environment. Following their release into the environment, some of these substances concentrate in rising proportions in soils, sediments, water and air. Over time, these concentration levels rise continually within, and to the top of, the human food chain.

“And, the **T**, which stands for toxic or toxins, relates to human health. **T**oxic substances lead to adverse health effects, such as the ones I described earlier.

“What is also important to remember is that these are not mutually exclusive categories. While it can be presumed that a chemical substance which displays all three characteristics is especially harmful, a chemical substance or, mixture, can display just one of the three characteristics—that is, it can be persistent, bio-accumulative, or toxic to human health.

“These substances are capable of traveling great distances, on air, and in oceanic currents.

“Last year, I had the honor of receiving a delegation of indigenous peoples from the Savoonga and Gambell nations. These representatives were from two member tribes of the National Congress of American Indians.

“They told my staff of serious public health issues they are experiencing as a result of pollutants, particularly legacy chemicals, such as PBDEs [polybromodiphenyl ethers] and PFCs [perfluorinated compounds], that have blown and crested onto St. John's Island.

“At our last hearing on TSCA in November, 2009, we discussed the need for including a prioritization scheme in our soon-to-be-introduced bill, which will make critical reforms to the existing, 33-year-old statute. Under this scheme, the Environmental Protection Agency's chemical risk and safety assessment responsibilities would be radically streamlined.

“With this new authority, the EPA would be able to take much swifter action to reduce the volume of especially threatening substances that are already in the commercial stream, in our bodies, and in our food and water sources.

“I am pleased to welcome all six of our witnesses to this subcommittee hearing. The common thread through all of their testimonies is, obviously, PBTs. Today, each of them will talk about the PBT problem and how to go about addressing it from their perspectives as government regulators, policy makers, public interest and health advocates and the industry.

“Each of these witnesses is prepared to testify and answer questions about PBT regulation and remediation by assessing the regulatory lay of the land—meaning at the State and Federal levels and, of course, the impact of these chemicals on our planet. After all, we’ve only got one planet and I, for one, would like it to be around for a long, long, l-o-n-g time!

“With that, I yield back the balance of my time.”

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