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March 7th, 2016

Dear Members of the New York State Congressional Delegation:

Thank you for your work toward reform of the ineffective and outdated Toxic Substances Control Act (“TSCA”), which currently leaves the vast majority of chemicals on the market untested for safety. I strongly support long overdue reform to this deeply broken law, which fails to keep people safe from the current realities of rampantly unregulated chemicals. As the U.S. House and Senate have both passed bills updating TSCA – and begun to reconcile the differences between the two bills – I urge you to eliminate any preemption of state laws within the final bill.

A strong national toxics law is an essential tool to protect citizens from toxic chemicals, and I support strengthening TSCA to give the Environmental Protection Agency (EPA) the power and resources it needs to put in place a strong regulatory program for chemicals in commerce. However, states are often the leaders when it comes to action that protects public health – such as with the banning of chemicals like Bisphenol A (BPA) in certain products. But without a comprehensive approach to chemical regulation, or requiring that substitutes to the banned chemical be vetted for safety, we simply end up with another chemical that is similarly dangerous being used.

This is why it is critical that states retain the needed flexibility to ensure that existing and new chemicals which put lives at risk do not flood the market.

Chemical regulations on both the state and federal levels fall far short of what is necessary to keep Americans safe. Today there are more than 80,000 unregulated chemicals on the market. These chemicals include potentially-hazardous toxics like Perfluorooctanoic acid (PFOA), which has been identified as the cause of several incidences of rare cancers reported in Hoosick Falls, NY.

States must maintain the freedom to regulate and address toxic chemicals when necessary in order to protect citizens. As the House and Senate bills are reconciled, I respectfully urge you to reform TSCA in order to establish strong nationwide standards while removing preemption language which will hinder public health. As a State Senator, I ask you to ensure that New York retains the authority necessary to protect citizens from toxic chemicals.

Thank you for your work on this important issue.

Respectfully,

A handwritten signature in black ink that reads "Liz Krueger". The signature is written in a cursive, flowing style.

Liz Krueger
State Senator