

# United States Senate

Washington, DC 20510-1304

September 27, 2016

The Honorable Gina McCarthy  
Administrator, US Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Dear Administrator McCarthy:

I urge the Environmental Protection Agency (EPA) to place asbestos and flame retardant chemicals on the first list of chemicals the Agency will review with its new authority under the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act. EPA's "Top 10" list should prioritize review of asbestos and flame retardants, which have a history of causing chronic health problems and continue to pose a threat to millions of Americans.

The dangers of asbestos are well known. The World Health Organization (WHO) has stated that "[a]ll forms of asbestos are carcinogenic"<sup>1</sup> and the Occupational Safety and Health Administration states that "there is no 'safe' level of asbestos exposure."<sup>2</sup> According to the Surgeon General, "[t]hree of the major health effects associated with asbestos exposure are lung cancer; mesothelioma, a rare form of cancer that is found in the thin lining of the lungs, chest, abdomen and heart; and asbestosis, a serious progressive, long-term, non-cancer disease of the lungs. Anyone who disturbs asbestos is at risk."<sup>3</sup> According to the WHO, "[a]pproximately half of the deaths from occupational cancer are estimated to be caused by asbestos" and "several thousand deaths annually can be attributed to exposure to asbestos in the home."<sup>4</sup>

While asbestos has been banned in dozens of countries, the U.S. Geological Survey reports that the United States continues to import and consume hundreds of tons of asbestos per year,<sup>5</sup> and according to the Centers for Disease Control and Prevention (CDC), asbestos and asbestos products "are still found in many residential and commercial settings and continue to pose a health risk to workers and others."<sup>6</sup> According to the Government Accountability Office, at least 27 million Americans have been exposed to asbestos and Americans continue to be exposed.<sup>7</sup>

Americans are also exposed to flame retardant chemicals on a daily basis, as they are used in upholstered furniture, electronics, and children's items. Flame retardant chemicals used in furniture often break down and incorporate in to dust particles, leading to elevated blood levels in adults and toddlers. The CDC has found flame retardant chemicals in 97 percent of Americans, including 100 percent of the infants it tested.<sup>8</sup> Flame retardants have been found in the umbilical cord blood and breast milk of new mothers; and American newborns have higher recorded concentrations of flame retardants than infants from any other country.

This is concerning as the WHO, National Cancer Institute, National Research Council, and Consumer Product Safety Commission have all identified flame retardants as a carcinogen. These chemicals also are known to cause lower intelligence quotient or IQ scores, impaired learning and motor skills, memory issues, reduced fertility, and endocrine disruption.<sup>9</sup> Given their widespread use in household items and bio-persistence, flame retardant chemicals pose a particularly high exposure threat and health risk to our most vulnerable populations.

It is time for the EPA to fully protect Americans from the scourge of asbestos and flame retardant chemicals once and for all. I urge the EPA to list them among the first chemicals the Agency will study under the revised Toxic Substances Control Act and to use your full authority to prevent any future exposures.

Sincerely,



Richard J. Durbin  
United States Senator

---

<sup>1</sup> <http://www.who.int/mediacentre/factsheets/fs343/en/>

<sup>2</sup> <https://www.osha.gov/SLTC/asbestos/>

<sup>3</sup> <http://www.surgeongeneral.gov/news/2013/04/pr20130401.html>

<sup>4</sup> <http://www.who.int/mediacentre/factsheets/fs343/en/>

<sup>5</sup> <http://minerals.usgs.gov/minerals/pubs/commodity/asbestos/mcs-2016-asbes.pdf>

<sup>6</sup> <http://www.cdc.gov/niosh/topics/asbestos/>

<sup>7</sup> <http://www.gao.gov/assets/590/585380.pdf>

<sup>8</sup> [http://www.cdc.gov/biomonitoring/pdf/FourthReport\\_UpdatedTables\\_Feb2015.pdf](http://www.cdc.gov/biomonitoring/pdf/FourthReport_UpdatedTables_Feb2015.pdf)

<sup>9</sup> [http://www.cdc.gov/biomonitoring/PBDEs\\_BiomonitoringSummary.html](http://www.cdc.gov/biomonitoring/PBDEs_BiomonitoringSummary.html)