

By: Smith of Harris

H.C.R. No. 89

HOUSE CONCURRENT RESOLUTION

1 WHEREAS, American consumers deserve to have confidence that
2 the products they buy, when used for their intended purposes, are
3 safe; and

4 WHEREAS, a federal chemical management program should place
5 protecting the public health - including children's health -- as
6 its highest priority, and should include strict government
7 oversight; and

8 WHEREAS, the federal chemical management program should
9 preserve America's role as the world's leading innovator and
10 employer in the manufacture, processing, distribution in commerce
11 and use of chemicals; and

12 WHEREAS, the current chemical management law, the Toxic
13 Substance Control Act (TSCA) was signed into law in 1976, and is now
14 nearly 35 years old; and

15 WHEREAS, since the enactment of the law, our ability to
16 understand the impact chemicals have on the human body and the
17 environment has advanced significantly; and

18 WHEREAS, those advancements in science and technology need to
19 be integrated into the federal chemical management program; and

20 WHEREAS, momentum for modernization of the federal chemical
21 regulatory system is growing in Congress; and

22 WHEREAS, a robust federal chemical management system will
23 obviate the need for state governments to adopt different - at times
24 conflicting - state regulatory programs that have the potential for

1 negative impacts on the national economy.

2 RESOLVED, That the 82nd Texas Legislature encourages the
3 112th Congress of the United States to enact federal legislation to
4 modernize the Toxic Substances Control Act of 1976. Amendments to
5 TSCA should strengthen chemicals management to:

6 (a) Ensure that chemicals are safe for their intended use;

7 (b) Require EPA to systematically prioritize chemicals for
8 the purpose of assessing their safe use;

9 (c) Require that EPA act expeditiously and efficiently in
10 assessing the safe use of chemicals;

11 (d) Require companies that manufacture, import, process,
12 distribute, or use chemicals to provide EPA with relevant
13 information to the extent necessary for EPA to make safe use
14 determinations;

15 (e) Assure that the potential risks to children from
16 exposures to chemicals are considered in the assessment of safe
17 use;

18 (f) Empower EPA to impose a range of risk management
19 controls to ensure that chemicals are safe for their intended use;

20 (g) Encourage companies and EPA to work together to enhance
21 public access to chemical health and safety information;

22 (h) Require that EPA rely on scientifically valid data and
23 information, regardless of its source, including data and
24 information reflecting modern advances in science and technology;

25 (i) Enable EPA to have the staff, resources, and regulatory
26 tools it needs to ensure the safety of chemicals; and

27 (j) Ensure that TSCA remains a vehicle to promote and

1 encourage technological innovation, and the maintenance of a
2 globally competitive industry in the United States; and be it
3 further

4 RESOLVED, That the Texas secretary of state forward official
5 copies of this resolution to all members of the Texas delegation to
6 Congress.