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EPA Announces Actions to Address Chemicals of Concern, Including Phthalates

Agency continues efforts to work for comprehensive reform of toxic substance laws

WASHINGTON - As part of Administrator Lisa P. Jackson's commitment to strengthen and reform chemical management, the U.S. Environmental Protection Agency (EPA) today announced a series of actions on four chemicals raising serious health or environmental concerns, including phthalates. For the first time, EPA intends to establish a "Chemicals of Concern" list and is beginning a process that may lead to regulations requiring significant risk reduction measures to protect human health and the environment. The agency's actions represent its determination to use its authority under the existing Toxic Substances Control Act (TSCA) to the fullest extent possible, recognizing EPA's strong belief that the 1976 law is both outdated and in need of reform.

In addition to phthalates, the chemicals EPA is addressing today are short-chain chlorinated paraffins, polybrominated diphenyl ethers (PBDEs) and perfluorinated chemicals, including PFOA. These chemicals are used in the manufacture of a wide array of products and have raised a range of health and environmental concerns.

EPA also recently announced that three U.S. companies agreed to phase out DecaBDE, a widely used fire retardant chemical that may potentially cause cancer and may impact brain function.

"The American people are understandably concerned about the chemicals making their way into our products, our environment and our bodies," said Administrator Jackson. "We will continue to use our authority under existing law to protect Americans from exposure to harmful chemicals and to highlight chemicals we believe warrant concern. At the same time, I will continue to fight for comprehensive reform of the nation's outdated chemical management laws that ensures a full assessment of the safety of chemicals on the market today and effective actions to reduce risks where chemicals do not meet the safety standard. Chemical safety is an issue of utmost importance, especially for children, and this will remain a top priority for me and our agency going forward."

On September 29, 2009, Administrator Jackson outlined a set of agency principles to help inform legislative reform and announced that EPA would act on a number of widely studied chemicals that may pose threats to human health. When TSCA was passed in 1976, there were 60,000 chemicals on the inventory of existing chemicals. Since that time, EPA has only successfully restricted or banned five existing chemicals and has only required testing on another two hundred existing chemicals. An additional 20,000 chemicals have entered the marketplace for a total of more than 80,000 chemicals on the TSCA inventory.

The actions announced today include:

- Adding phthalates and PBDE chemicals to the concern list.
- Beginning a process that could lead to risk reductions actions under section 6 of TSCA for several phthalates, short-chain chlorinated paraffins, and perfluorinated chemicals.
- Reinforcing the DecaBDE phaseout – which will take place over three years – with requirements to ensure that any new uses of PBDEs are reviewed by EPA prior to returning to the market.

This is the first time EPA has used TSCA's authority to list chemicals that "may present an unreasonable risk of injury to health and the environment." The decision to list the chemicals further signals this administration's commitment to aggressively use the tools at its disposal under TSCA. Inclusion on the list publicly signals EPA's strong concern about the risks that those chemicals pose and the agency's intention to manage those risks. Once listed, chemical companies can provide information to the agency if they want to demonstrate that their chemical does not pose an unreasonable risk.

More information on EPA's legislative reform principles and a fact sheet on the complete set of actions on the four chemicals: <http://www.epa.gov/oppt/existingchemicals>