United States Senate
WASHINGTON, DC 20510

July 9, 2012

Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

We are writing to express our support for the Environmental Protection Agency's (EPA) actions to address a class of flame retardant chemicals called polybrominated diphenyl ethers (PBDEs). These flame retardant chemicals are found in a number of everyday consumer products, including furniture, plastics, and even baby products. According to the EPA, these toxic chemicals are suspected to cause cancer and have been linked to serious neurological and reproductive diseases. We urge the agency to move forward as quickly as possible with its current efforts to protect American families from the toxic effects of PBDEs.

PBDEs are mixed into a number of household products in order to raise the temperature at which they burn, purportedly making the products more flame resistant. However, the Consumer Product Safety Commission found that these chemicals do not provide any significant protection against the risk of fires. Instead, it has become clear that PBDEs can increase human health risks and that the chemicals easily spread and accumulate in the environment and living organisms, including people.

We are deeply alarmed that peer-reviewed research has found that a typical American baby is born with the highest recorded concentrations of flame retardants among infants in the world. This is a serious threat to our children's health because PBDEs interfere with the body's hormone systems, and studies in animals suggest they can cause cancerous tumors, birth defects, and other developmental disorders. Researchers have found that children's exposure comes primarily through household dust, making babies and toddlers particularly vulnerable since they spend a significant amount of time playing on the floor.

Despite the danger to public health, a recent investigative report by the *Chicago Tribune* revealed that flame retardant manufacturers may have misled the public for decades regarding both the risks and efficacy of these chemicals. Due to industry opposition to common sense reforms at both the federal and state level that would limit the use of these chemicals, PBDEs and other flame retardants continue to be used in a significant number of everyday products.

In response, EPA has adopted an action plan for PBDEs using its existing authority under the Toxic Substances Control Act (TSCA). This plan reflects the agency's assessment that PBDEs are persistent, bioaccumulative, and toxic to both humans and the environment. Currently, the agency is accepting public comment on two paired rulemakings related to PBDEs. The first action would amend the current Significant New Use Rule (SNUR) to require any manufacturer, importer, or processor of seven different PBDEs, or articles containing them, to submit a notification to EPA at least 90 days before beginning new activities involving these chemicals. The second rulemaking would require those insisting on continuing to use these chemicals to develop the data EPA would need to fully evaluate the health and safety effects of this class of toxic chemicals. We support these efforts and urge EPA to finalize and implement these rulemakings as quickly as possible following the public comment period.

While we commend the EPA for taking steps to address PBDEs, it is concerning that the agency must undertake lengthy rulemaking processes merely to secure additional health and safety data on a chemical of concern and to receive notifications regarding expansions of its uses. Further, EPA is not evaluating steps to actually restrict existing unsafe production and uses of these toxic flame retardants. This reinforces why there is broad agreement that TSCA must be reformed to protect American families from dangerous chemicals in a cost-effective way and we urge you to continue to work with Congress to enact consensus reforms.

Americans deserve to know that the chemicals used in everyday consumer products are safe. EPA's current action to address the health risks of PBDEs is an important first step towards protecting Americans from the risks posed by these pervasive chemicals and we look forward to working with you to enact these reforms.

Sincerely,

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