

United States Senate

WASHINGTON, DC 20510-4704

November 10, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Dear Administrator McCarthy:

On June 22, 2016, President Obama signed the Frank R. Lautenberg Chemical Safety for the 21st Century Act into law. This long overdue legislation modernized the Toxic Substances Control Act of 1976. I applaud the swift action taken by the Environmental Protection Agency (EPA) in implementing this law so far, and I call on you to make the evaluation of all forms of asbestos a priority under the law.

According to the Occupational Safety and Health Administration, an estimated 1.3 million workers face job-related asbestos exposure, despite recognition from U.S. and international public health organizations of the health risks. Between 1999 and 2005, over 18,000 Americans died from malignant mesothelioma, a cancer related primarily to asbestos exposure. Yet many Americans are unaware that, while the production of asbestos has ceased in the United States, the substance is not banned. According to the EPA, products that contain asbestos, such as disk brake pads, vinyl floor tiles, cement pipes, and even articles of clothing, remain in commerce today, potentially exposing millions of Americans to this harmful substance.

Throughout my career, I have worked to ban asbestos in the United States. In 2007, the U.S. Senate passed the Ban Asbestos in America Act, a bill I authored to protect Americans from this harmful substance. Unfortunately, the bill was stymied in the House of Representatives. While I was disappointed that the Frank R. Lautenberg Chemical Safety for the 21st Century Act did not explicitly ban asbestos, this legislation gives EPA the authority it needs to finally address this risk to public health. It will take strong action from EPA to ensure that this harmful substance is finally removed from commerce.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act requires your agency to select an initial list of 10 chemicals that will be evaluated for safety. The bill places a priority on the evaluation of chemicals that are known carcinogens and have high acute and chronic toxicity. This list of chemicals plays an important role in EPA's early implementation of chemical safety reforms. Given the extraordinary impact of asbestos exposure on public health in the United States, and the risk it poses to the American public, it is critical that the EPA prioritize the evaluation of this substance. I urge you to take a serious, comprehensive look at the risk asbestos poses under the evaluation process laid out by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

154 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-4704
(202) 224-2621

2930 WETMORE AVENUE
SUITE 903
EVERETT, WA 98201-4107
(425) 259-6515

2988 JACKSON FEDERAL BUILDING
915 2ND AVENUE
SEATTLE, WA 98174-1003
(206) 553-5545
TOLL FREE: (866) 481-9186

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SUITE 600
SPOKANE, WA 99201-0712
(509) 624-9515

950 PACIFIC AVENUE
SUITE 650
TACOMA, WA 98402-4450
(253) 572-3636

THE MARSHALL HOUSE
1323 OFFICER'S ROW
VANCOUVER, WA 98661-3856
(360) 696-7797

website: <http://murray.senate.gov>
e-mail: <http://murray.senate.gov/email>
PRINTED ON RECYCLED PAPER

402 EAST YAKIMA AVENUE
SUITE 420
YAKIMA, WA 98901-2760
(509) 453-7462

Thank you for all that you have done to protect Americans from harmful substances. Prioritizing the evaluation of asbestos will continue that important work. Thank you for your consideration of my request.

Sincerely,

A handwritten signature in blue ink that reads "Patty Murray". The signature is written in a cursive style with a large initial "P" and a loop at the end of the name.

Patty Murray
United States Senator