

Problems with Current Law	The Lautenberg Act Fix
<p>Paralyzing Requirements Requires onerous cost-benefit analysis that has paralyzed EPA and left dangerous chemicals unregulated.</p>	<p>Strong, Health-Only Safety Standard Prohibits EPA from considering costs and other non-risk factors when determining safety, relying instead on a purely health-based standard.</p>
<p>No Protection for the Most Vulnerable No requirement to consider our most vulnerable populations, like children and pregnant women, who are at an elevated risk.</p>	<p>Explicit Protections for Vulnerable Populations Expressly <i>requires</i> the protection of those most susceptible to harm from chemicals.</p>
<p>Presumption of Innocence for Chemicals No requirement to review the safety of existing chemicals. TSCA grandfathered in 62,000 chemicals in 1976, simply presuming them to be safe.</p>	<p>Mandate to Review All Chemicals Explicitly requires safety reviews for <i>all</i> chemicals currently in use, specifying concrete deadlines for each step in the process.</p>
<p>Weak Testing Powers EPA may only require testing of chemicals through formal rulemaking—a process that can take years. Even worse, to require testing EPA must first show a chemical poses a potential risk or high exposure, a <i>Catch-22</i>.</p>	<p>New, Efficient Testing Authority EPA can simply issue an order to require testing, without the <i>Catch-22</i> of having to first have evidence of risk or high exposure. Full testing authority in reviewing new chemicals and prioritizing existing chemicals.</p>
<p>New Chemicals Lack Adequate Safety Check New chemicals are allowed onto the market without an affirmative EPA safety decision. EPA bears the burden to identify any concern, even absent any safety data.</p>	<p>Safety Finding for New Chemicals Before Use New chemicals can enter the market only after an affirmative safety finding standard by EPA.</p>
<p>Excessive Trade Secrets Limit Public Disclosure Companies can claim virtually any information they submit to EPA is "Confidential Business Information," which cannot be disclosed to the public, states, or first responders.</p>	<p>Unprecedented Transparency Strong new limits and checks are imposed on what can qualify as "Confidential Business Information." Ensures that state officials, medical professionals and the public have access to health and safety information.</p>
<p>Chemical Secrets are Indefinite "Confidential Business Information" claims currently have NO time limits, and remain in place unless the EPA challenges them.</p>	<p>Time Limits and Justification for Trade Secrets "Confidential Business Information" claims must be fully justified when made, and will expire after 10 years if they're not re-substantiated.</p>
<p>Insufficient Funding EPA has insufficient funding to support a rigorous program. Fees are limited to new chemicals and are capped at \$2,500 per company. But that's not all – <i>these fees actually go to the general treasury, and are not available to directly cover EPA's costs.</i></p>	<p>A New, Dedicated Funding Stream EPA can collect fees for both new <i>and</i> existing chemicals, as well as high-priority chemicals. These fees can be used to help cover the costs of all chemical reviews, regulations, and information management. And instead of going to the general treasury, they go directly to EPA.</p>