



PROTECTIONS AGAINST TOXIC CHEMICALS ARE AT RISK

CHEMICAL INDUSTRY LOBBYISTS ARE PUSHING TO WEAKEN LAWS

Chemical industry lobbyists are pushing to weaken the laws that protect us from newly developed chemicals. They want us to believe that the hundreds of new chemicals they seek to put on the market each year are safe—even if they haven't been adequately tested.

Unfortunately, this “trust us” approach has not worked in the past, resulting in a harmful legacy of unsafe chemicals that were never properly vetted and restricted. Many, like PFAS, have become ubiquitous in our environment and in our bodies, linked to cancers, reproductive disorders, brain damage, and other harms.

The Toxic Substances Control Act and its amendment

To protect the public from harmful chemicals, Congress passed the **Toxic Substances Control Act (TSCA)** in 1976. Though intended to safeguard people, the law failed to restrict even the most thoroughly researched, disease-inducing chemicals.

In 2016, Congress amended TSCA with the bipartisan **Lautenberg Act**. The act directs EPA to determine whether a chemical presents “an unreasonable risk of injury to health or the environment,” including the risks to “potentially exposed or susceptible subpopulations.” The evaluation must be based on health, not on costs.

The original TSCA let the chemical industry keep on the market (without testing) **62,000 existing chemicals**. The Lautenberg Act added a multiyear review process for these chemicals.

For **new chemicals**, the Lautenberg Act requires EPA to make an “affirmative determination of safety” before they can be manufactured or imported.

The Lautenberg Act's New Chemicals Program is in jeopardy

The term “new chemicals” includes chemicals that are entirely new, such as the hundreds of new PFAS and the toxic stew of new chemicals that emerge when plastic is incinerated. It also includes new uses for some existing chemicals.



Reviewing new chemicals and predicting their exposure pathways and effects on human health and the environment is no small task, especially for chemicals that persist in the environment for decades or longer.

The understaffed, underfunded New Chemicals Division at EPA faces intense pressure to expedite its approvals. But industry regularly provides incomplete submissions for chemicals and drags their heels on providing crucial data to EPA, creating time-consuming additional work and ultimately delaying the approval process.

The chemical industry lobby is now pressing Congress to amend TSCA again, this time with a goal of limiting and expediting any upfront reviews of new chemicals.

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The chemical industry is spearheading two priority categories for faster approvals:

PFAS chemicals

PFAS are the thousands of synthetic “forever chemicals” that have exceptionally strong carbon-fluorine bonds, making them extremely persistent in the environment. They are resistant to heat, water, grease, and stains. First invented in the 1930s, these chemicals are widely used in cookware, food packaging, textiles, home furnishings, electronics, personal care products, and other sectors.

Virtually everyone in the U.S. has PFAS in their blood. Even small amounts are enough to cause cancers, reproductive and developmental problems, and immune suppression. Beginning in the early 2000s, as evidence of the harms mounted, U.S. manufacturers agreed to phase out the two best-known types, PFOA and PFOS. But rather than redesign their products, companies began swapping out these two carefully scrutinized PFAS with new, less-studied PFAS chemicals.

Now, hundreds of PFAS are actively used in U.S. commerce, and chemical manufacturers keep inventing new ones. Most have shorter chains of fluorinated carbon atoms. Unfortunately, evidence is mounting that these newer forever chemicals may be as harmful as the chemicals they have replaced. Short-chained PFAS are extremely mobile in the environment and can persist for decades to centuries. There are no effective ways to remove them from drinking water reservoirs. Researchers are studying potential health effects, including reproductive harms, liver toxicity, inflammatory conditions, immune deficiencies, hormone disruptions, and cancers.

The chemical industry lobby is now campaigning to loosen the new chemical review process so as to more quickly commercialize new PFAS chemicals.

Incinerated plastics chemicals

There is no safe and effective way to get rid of plastic, so instead the plastics industry is greenwashing plastics incineration as an environmentally sound “circular” solution. Plastics lobbyists are calling the process “advanced recycling.”

Burning plastics generates large amounts of hazardous waste, creates climate-warming gases, and releases toxic pollution into surrounding communities. These pollutants include dioxins, benzene, formaldehyde, particulate matter, and heavy metals, such as mercury and arsenic.

The incineration process also produces so-called “pyrolysis oils” from burned plastic trash. The air pollution from making and using these oils is so toxic that some of the fuels made from incinerated plastics may cause cancer in every person exposed over a lifetime, according to a risk assessment by EPA scientists.

Despite the extreme toxicity of the new chemicals produced, the industry is determined to fast-track the proliferation of “advanced recycling” incinerators, a lynchpin in their plans to triple plastics production by 2050. They are trying to amend the TSCA new chemicals review process to ensure quick approval of the incinerated plastics chemicals.



A hazardous waste incinerator in Liverpool, Ohio.

For a footnoted version of this fact sheet, please visit:
momscleanairforce.org/protections-against-toxic-chemicals-are-at-risk
or scan the QR code below

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TAKE ACTION

Do not let the chemical industry use our children as guinea pigs for minimally tested toxic chemicals. Demand that Congress uphold the Lautenberg Act.

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