

STATEMENT OF
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BEFORE THE
SUBCOMMITTEE ON TOXIC SUBSTANCES
AND ENVIRONMENTAL OVERSIGHT
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE

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Good morning, Mr. Chairman and members of the Subcommittee. I am pleased to have the opportunity to testify before you today concerning the problem of toxic substances in the environment and to describe part of EPA's program to evaluate and if necessary control those substances.

I am here as the Acting Assistant Administrator for Pesticides and Toxic Substances. As you are aware, this is a time of transition at EPA. Administrator Ruckelshaus is in the process of installing his Senior Management Team. Over the next few months, I'm sure he will be addressing a variety of policy and legislative issues, including those dealing with toxic substances. I hope that my remarks today can help set the stage for what I believe will be a renewed EPA emphasis on a strong innovative toxic substances program for the future. With your permission,

chemicals. However, I would like to highlight some recent events which you may find especially interesting.

With respect to PCBs, EPA has final regulations covering most aspects of PCB manufacture, use, and disposal. The remaining PCB rulemaking will deal with unintentional and incidental production of PCB's which occur in the process of producing other products. We were pleased to be presented with a proposal, developed jointly by the Natural Resources Defense Council, the Environmental Defense Fund, and the Chemical Manufacturers Association to address this aspect of PCB regulation. This evidence of often competing interests working together is something I would like to encourage in the future. My staff will use this proposal as the core of a regulation to be proposed by December 1983.

Asbestos has been the subject of OTS activities since the early years of the program. Recently, however, OTS has taken important steps toward consolidating its efforts toward asbestos and ensuring a coordinated approach by the various regulatory authorities concerned with this material. The establishment of an interagency Federal Asbestos Task Force to coordinate Federal efforts concerning asbestos has been a major achievement. The Task Force, which was established last year, is chaired by the Office of Toxic Substances, and includes representatives from OSHA and CPSC. Over the next year, my staff will be working with the Task Force to coordinate asbestos control.

In this regard, OSHA is working to strengthen its workplace standards for asbestos. Complementary to this activity, we

plan to publish a proposed rule in the next year banning certain asbestos product categories and we plan to issue either an ANPR or a proposal which would establish a staged production cap on remaining asbestos uses. My staff is also pushing ahead this summer with a survey of asbestos in public buildings to assist us in determining the nature and extent of any problem with friable asbestos material in such places.

Cross Cutting Issues

My testimony would be incomplete if I did not mention several of my conceptual priorities for TSCA which do not fall neatly within one or another TSCA authority. The first of these is to link the various parts of TSCA more closely and to link TSCA authorities to the needs of other EPA programs. I intend to use the new chemical review process to identify categories of chemicals for review by the Existing Chemicals Task Force. I will be using health and environmental data gathered under Section 8 reporting information or Section 4 testing to facilitate review of structurally similar new chemicals. We are also working with EPA's Water, Air, Superfund and Solid Waste Offices to identify areas of coordination.

I also believe that we should be doing a much better job of getting public participation in our TSCA decisions and publicly stating our rationales for making decisions. We have just started putting our preliminary chemical assessment documents out for public comment, and we now publish quarterly reports for both new and existing chemical decisions. But I believe we could do