



The Alliance for a **HEALTHY TOMORROW**

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Alliance for Healthy Tomorrow 2005 Legislative Priority

Support the Safer Alternatives Bill

H-1286 & S-553 An Act for a Healthy Massachusetts: Safer Alternatives to Toxic Chemicals

Sponsors: Senator Steven Tolman, Rep. Jay Kaufman (co-sponsored by 15 Senators & 56 Reps.)

The goals:

Protect Our Health

Scientific evidence increasingly indicates that a wide array of toxic chemicals in our everyday lives are contributing to an epidemic of chronic disease and disorders, that include: asthma, birth defects, cancers, developmental disabilities, diabetes, endometriosis, infertility, Parkinson's disease, and others. Yet many of these toxic chemicals can be replaced with safer alternatives. The Safer Alternatives bill establishes a unique program to promote these alternatives, thus helping to protect our health.

Develop a Healthy Economy

Choosing safer alternatives will not only help prevent widespread suffering, it will reduce the burden on our economy of preventable high health care and special education costs and lost productivity. Innovative industries and green chemistry can create the safer products and sustainable jobs that are increasingly demanded in today's economy. The European Union and other countries have already adopted more health protective requirements for products, and over 37% of Massachusetts trade is with the European Union's member states. This Safer Alternatives program will assist Massachusetts businesses in competing in the global marketplace.

What this bill does:

Expands TURA

This bill expands the successful Massachusetts Toxics Use Reduction Act (TURA) program, which has demonstrated that reducing the use of toxic chemicals both protects health and saves businesses money. It builds upon TURA's proven pragmatic approach to helping MA industries by creating a comprehensive program to replace toxic chemicals with safer alternatives in consumer products and other businesses. It initially targets ten of the worst toxic chemicals in wide use in Massachusetts that are currently replaceable with feasible safer alternatives for many of their current uses. It provides technical and financial assistance to businesses to support implementation of safer alternatives.

Creates A Flexible Pragmatic Program

First an analysis is done to determine for each general type of use of the toxic chemical, (i.e. a type of product or industrial use) whether there are feasible safer alternatives. Then there are flexible choices:

- **If there *are* feasible safer alternatives**, businesses develop their own substitution plans and can either a) certify they are using a safer alternative, b) propose a different safer alternative, (subject to review) or c) apply for a waiver showing that there is no safer alternative that is technically or economically feasible for that use.
- **If there *are not* feasible safer alternatives**, state agencies create research and development plans, but *do not* take regulatory action on that product or use.

Steps to the Safer Alternatives Program

- The Toxics Use Reduction Institute (TURI) conducts an alternatives assessment for the major uses of the priority toxic chemicals to determine whether there are feasible safer alternatives.
- Each alternatives assessment also identifies uses of the chemicals that do not currently have feasible safer alternatives available, and makes recommendations for research and development of such alternatives. Regulatory action is not taken on those uses.
- The Executive Office of Environmental Affairs (EOEA) creates a State Priorities Action Plan, which sets priorities for state agency action, giving priority to chemical uses that pose the greatest exposures to the public, or that are the easiest to replace with safer alternatives.
- EOEA operates a Business Transition Assistance Program to aid businesses in implementing safer alternatives, which will include technical assistance, grants and loans, and research and development, and utilizes private consortia, public-private partnerships and state universities.
- An Innovative Industries Investment Plan is developed by EOEA and the Executive Office of Economic Development and submitted to the legislature to guide further investment.
- The Department of Environmental Protection (DEP) sets deadlines by which companies must implement safer alternatives, based on state priorities. The deadlines shall also take into account the costs of the transition and the availability of assistance for substitution.
- Businesses and other users make their own substitution plans and choices and can apply for waivers if safer alternatives are not economically or technically feasible.
- Funds are raised through fees on toxic chemicals for an expanded Toxics Use Reduction Act Dedicated Fund to create the Business Assistance Transition Program, research and development programs, TURI alternatives assessments, and to cover regulatory costs.
- The program would initially apply to ten priority toxic chemicals and then more would be added. The first ten priorities are: lead, formaldehyde, trichloroethylene (TCE), perchloroethylene (Perc), dioxins and furans, hexavalent chromium, organophosphate pesticides, polybrominated phenyl ethers (PBDEs), di-(2-ethylhexyl)phthalate (DEHP), 2,4, dichlorophenoxyacetic acid (2,4, D).

Bill Improvements from last session:

The bill sponsors, Senator Steve Tolman and Representative Jay Kaufman and the Alliance for a Healthy Tomorrow coalition members, listened to the suggestions of legislators and other interests over the past legislative sessions. We have improved the bill based on your ideas:

- We have integrated the Safer Alternatives program with the TURA program and utilized existing agencies, TURI, the TURA Science Advisory Board, and the Office of Technical Assistance
- We have expanded the Business Assistance Transition Program to provide a range of supports to businesses to implement safer alternatives
- We have clarified the setting of priorities for state action based on the greatest dangers to public health or the environment
- We have reduced the burden on DEP and increased initiative by the private sector
- We have added an Innovative Industries Investment Plan

Massachusetts can lead the way on technological innovation, globally competitive businesses, and the protection of workers, communities and consumers!

*For more information contact the Alliance for a Healthy Tomorrow 617-338-8131,
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