

The Honorable Lisa P. Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

September 7, 2012

Dear Administrator Jackson:

The undersigned organizations submit this letter on behalf of our members and supporters urging you to work to address the problem of PCBs in our Nation's waterways. We write on the heels of the Environmental Council of the States (ECOS) recent passing of a resolution addressed to you which pointed out several points about how to best address levels of PCBs in wastewater discharges to our nation's waterbodies.

We represent organizations across the Country that work to protect our right to clean water. One of the biggest threats our Nation's waterways and the health of our communities face is the threat of toxics, in this case PCBs.

PCBs cause serious health effects including cancer and non-cancer effects such as effects on the immune system, reproductive system, nervous system, and endocrine system. In addition to being toxic, PCBs are also persistent and bioaccumulative, meaning they remain in the environment for long periods of time and increase in concentration within organisms or within the food chain.

There is a serious water quality and human health concern with PCBs that continues to be impossible to solve. In as basic of terms as possible, the problem exists because federal regulations over toxics making their way in to this country don't line up with regulations for water quality. In more specifics, EPA's Toxics Substance Control Act (TSCA) regulations currently allow imported products to contain PCB concentrations up to 50 ppm (parts per million), while surface water quality standards are levels of magnitude stronger. This discrepancy makes it nearly impossible for us to advocate for and work for clean water.

While TSCA certainly regulates PCBs, it gives regulatory leeway to companies who produce PCBs as unintentional impurities, a loophole that has the effect of allowing the import and/or manufacture of pigments that contain as much as 50 ppm, a small concentration to be sure but one that is still vastly higher than what is required by the Clean Water Act.

As water quality advocates and defenders of clean water and the Clean Water Act, we are encouraged to hear that you are unified in your desire to address this loophole and to begin the necessary work to address PCBs. Closing this regulatory loophole, finding an approach to the problem of inadvertently created PCBs in inks and pigments, working on finding alternatives to chlorinated solvents used in pigment and ink manufacturing and eventually working on the elimination of PCBs is a goal we share.

We urge you adopt the resolution in front of you. Thank you for your time.

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Cc: Environmental Council of the States (ECOS)