April ??, 2016

Congressman Raul Labrador

1523 Longworth House Office Building

Washington, D.C. 20515

RE: HR 2576, TSCA Modernization Act of 2015, and PCBs

Dear Congressman Labrador:

As members of the Spokane River Regional Toxics Task Force (SRRTTF), we call your attention to a potentially troublesome aspect of HR 2576, the “TSCA Modernization Act of 2015,” specifically Section 7(c), which some have argued is intended to shield Monsanto from civil liability related to PCBs. Although we do not believe the language of Section 7(c) supports this argument, we respectfully ask that you work to have this “preemptive effect” language further clarified to eliminate any possible argument that it is intended to preempt tort actions, or any remedy for civil relief related to PCBs.

As you know, the SRRTTF is an innovative clean-up effort to reduce PCBs from the Spokane River watershed and requires participation by NPDES Permittees in both Washington and Idaho. The SRRTTF is a collaborative effort of federal, state and local governments, and business and environmental interests. Already our efforts have garnered national attention. Importantly, none of the SRRTTF members create or manufacture PCBs, yet, we are required to expend significant public and private resources to locate and remove PCBs from our watershed. We represent citizens who live and work in North Idaho and Eastern Washington – approximately 600,000 people facing a billion dollars or more needed to clean up PCBs created and sold by the Monsanto Company.

From the perspective of us, the public, clearly the Monsanto Company should be a significant part of this PCB clean-up effort. If you are Monsanto, clearly you want to be shielded from liability and leave the public to pay all PCB clean-up costs.

SRRTTF members on behalf of the public are required and committed to clean up PCBs from the Spokane Watershed. One of the major frustrations is garnering participation by the company who is responsible for creating PCBs. Socializing the costs of unintended consequences is very expensive for Inland Northwest businesses and rate payers.

It is patently unfair, bad business, and bad government to provide the Monsanto Company with a special law shielding it from responsibility ex post facto. We respectfully request your assistance in helping assure this does not happen.

The SRRTTF is a dedicated group working diligently for the long-term health of the Spokane River and our community. We stand ready to answer any questions you or your staff may have, and to provide any information that may be helpful in your deliberations. Thank you for your attention to this matter.

Sincerely,