



Committee on Environment

Public Hearing Regarding SB 210

**An Act to Prohibiting the Use of Bisphenol-A in Thermal
Receipt Paper and Increasing the Duties of the Chemical**

Innovations Institute

Hartford, Connecticut

February 23, 2011

Senator Meyer, Representative Roy, Members of the Committee,

My name is Stephen Rosario, I am Senior Director, Northeast Region for the American Chemistry Council, a national trade association that represents leading companies engaged in the business of chemistry and plastics technology. I am here today on behalf of the many ACC member companies located in Connecticut and the workers they employ in the state. I thank the Committee for the opportunity to speak here today. ACC is opposed to SB 210 for the reasons outlined below.

Section 1 – Banning of BPA in Thermal Paper Receipts

ACC has serious concerns over the banning of BPA in thermal paper receipts. As the attached handout indicates the U.S. Environmental Protection Agency (EPA) has been assessing BPA and alternatives in thermal paper, yet has not found an health or environmental reason to stop using thermal paper containing BPA. Additionally, there is less scientific data available to assess alternatives.

If the State Legislature is going to take such drastic action in banning BPA in thermal paper shouldn't such a decision be based on all available science? To date, we are not aware of the science or facts the Legislature is using to determine the safety of BPA to support a decision to ban the compound in thermal paper use. It should be noted that only one other state has introduced similar legislation – New York.

Section 2 – Increasing the Duties of the Chemical Innovations Institute

ACC has several concerns with this section of the bill and are in agreement with the position taken by the Connecticut Business & Industry Association (CBIA) regarding the lack of a transparent process and the effect such a list would have on companies doing business in Connecticut.

First, the degree to which the Institute's chemical characterization system should be consistent with current domestic and international practices is unclear. For example, U.S. EPA has proposed a regulation to establish a list of chemicals of concern. See <http://www.epa.gov/opptintr/existingchemicals/pubs/sect5b4.html>. The





Institute should not be forced to duplicate work already completed by reputable organizations applying risk-based science justified process.

- Systems exist to publicly identify chemical substances, such as the Department of Health and Human Services, National Library of Medicine, and TOXNET, a searchable portal to multiple resources including scientifically peer-reviewed Hazardous Substances Data Bank (HSDB), and the Agency for Toxic Substances Disease Registry, to name a few. (Please see attached for a comprehensive list of public information sources.)
 - Additionally, organizations, such as the International Agency for Research on Cancer (IARC) (<http://monographs.iarc.fr/>) and the National Toxicology Program (NTP) (<http://cerhr.niehs.nih.gov/evals/index.html>) already identify carcinogenic risks to humans.
 - The EPA has risk management actions in place to identify chemicals: the Chemical Action Plans (<http://www.epa.gov/opptintr/existingchemicals/pubs/ccactionpln.html>).

Secondly, creation of such lists adds uncertainty and unpredictability to the business environment in Connecticut which is already a difficult climate. Companies will not know from year to year which compounds will be targeted until they are placed on a list. Companies plan several years out when conducting business. With the creation of such a list companies won't know if their compound or product will be a target until the Institute decides to list the compound.

Additionally, once a compound is listed it is akin to placing a scarlet letter on the product. Without educating the public with respect the context of the list and its purpose many will automatically believe the chemical to be suspect and therefore banned.

Rather than direct the Institute to create a list of chemicals the Institute should be given guidance on how it can best work to determine how to improve Connecticut's ability to compete in a global economy and how it can help this industry propel Connecticut as a state to do business in.

Along these lines a process needs to be established that is viewed by the business community as fair. Although the business community has representation on the Institute's Board we are not aware that they follow any transparent or open process that is easily accessible to the public. Therefore, we would recommend to the legislature that before requiring the Institute to take any action on creating a list that it be directed to create an open and transparent process by which will undertake any assignment given to it by the Legislature. ACC stands ready to support CBIA and others in Connecticut to develop such a process.

Thank you again for the opportunity to speak on this matter.