

November 5, 2019

The Honorable Frank Pallone, Jr.  
Chairman, Committee on Energy and  
Commerce  
U.S. House of Representatives  
2107 Rayburn House Office Building  
Washington, DC 20515

The Honorable Greg Walden  
Ranking Member, Committee on Energy and  
Commerce  
U.S. House of Representatives  
2185 Rayburn House Office Building  
Washington, DC 20515

The Honorable John Barrasso  
Chairman, Committee on Environment and  
Public Works (EPW)  
U.S. Senate  
307 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Thomas R. Carper  
Ranking Member, Committee on Environment  
and Public Works (EPW)  
U.S. Senate  
513 Hart Senate Office Building  
Washington, DC 20510

*Re: H.R. 1603 and S. 717, the Alan Reinstein Ban Asbestos Now Act of 2019*

Dear Chairmen Pallone and Barrasso and Ranking Members Walden and Carper:

On behalf of the [Environmental Protection Network](#) (EPN), we are writing to express our strong support for H.R. 1603 and S. 717, the [Alan Reinstein Ban Asbestos Now Act of 2019](#) (ARBAN).

EPN is an organization comprised of over 450 U.S. Environmental Protection Agency (EPA) alumni volunteering our time to protect the integrity of EPA, human health and the environment. We harness the expertise of former EPA career staff and confirmation-level appointees to provide an informed and rigorous defense against current administration efforts to undermine public health and environmental protections.

Over several decades, many EPN members worked on EPA programs to protect the public from exposure to asbestos. We understand the uniquely hazardous properties of asbestos, which causes lung cancer, mesothelioma, asbestosis and a host of other cancerous and noncancerous diseases, and is unsafe even at very low concentrations. Almost from its inception, EPA has devoted considerable resources and expertise to countering the dangers of asbestos emitted to air, found at Superfund sites, managed as waste, incorporated in products and present in schools and other buildings used by millions of Americans. Few, if any, pollutants regulated by EPA have been as pervasive in our environment and posed as grave a threat to human health.

As former EPA Administrators William K.I Reilly and Gina McCarthy describe in their recent [op-ed](#) in the New York Times, agency leaders have long recognized that eliminating the ongoing importation and use of asbestos and asbestos-containing products is essential to prevent additional exposure that will result in more disease and death. But this goal has remained elusive since EPA's 1989 ban of most asbestos uses under the

Toxic Substances Control Act (TSCA) was overturned in court in 1991. Like many others, EPN members were hopeful that the 2016 Lautenberg Chemical Safety for the 21st Century Act would enable EPA to make long-overdue progress on banning asbestos. However, as EPN has expressed in [comments](#) filed with the agency, EPA's current use of its expanded TSCA authority has been disappointing and inadequate. As a result, EPN has grave concerns that EPA will again fail under TSCA to effectively prevent asbestos exposure.

At this point, we believe that only Congress can ban asbestos, and we strongly support the enactment of ARBAN to accomplish this critical objective. ARBAN will expeditiously prohibit the importation, manufacturing, processing and distribution of all forms of asbestos and asbestos-containing products without exemption or exception. This ban will apply to products containing asbestos as an impurity. The bill will result in the phase-out of asbestos by the chlor-alkali industry, currently the sole importer of raw asbestos into the United States and largest domestic asbestos user. It will also require Right-to-Know reporting on asbestos use and a comprehensive and long-overdue study of the risks of legacy asbestos in the built environment.

We urge the House and Senate to pass ARBAN as soon as possible.

Thank you for this opportunity to express our views.

Sincerely,

Michelle Roos  
Executive Director  
Environmental Protection Network

cc: Honorable Paul Tonko  
Honorable John Shimkus  
Honorable Suzanne Bonamici  
Honorable Jeff Merkeley.