

RIGHT-TO-KNOW OP-ED

by

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Ten years ago, Congress passed one of the nation's simplest, but most successful, environmental laws. Known as the right-to-know law, it requires certain industries to publicly report their toxic emissions.

Mandatory public disclosure under the right-to-know law has caused businesses to take a critical look at the toxic chemicals they use, invent safer alternatives, and find ways to prevent pollution. Industries covered by the law have since decreased their toxic chemical emissions by over 40 percent.

Now is the time for Congress to strengthen and expand the right-to-know law. In the last 10 years, States have shown that new right-to-know initiatives can have big payoffs. We should learn from the state experience and apply these programs nationally.

For example, Massachusetts' Toxics Use Reduction Act expanded the right-to-know principle to include a requirement that industries keep track of and disclose the toxic chemicals they use--not just the chemicals they release into the environment. Since this law went into effect in 1990, the amount of toxic chemicals used by industry in Massachusetts has dropped 20 percent and the volume of chemicals ending up as waste has dropped by 30 percent.

The Massachusetts experience is only the most recent example of the benefits of public disclosure. The New Jersey Department of Environmental Protection has been collecting chemical use information from its industries since 1987. They've found that industry has cut its toxic chemical waste by half in just the first seven years.

This is good for a company's bottom line as well as for the public. Reduced use means less money spent on toxic chemicals and reduced waste means lower disposal costs. New Jersey found that every dollar spent on pollution prevention planning could save an estimated \$5 to \$8 for industrial facilities.

While New Jersey and Massachusetts have focused on industrial facilities, California has applied right-to-know to consumer products. In 1986, the California voters approved Proposition 65 which requires a label for products that expose consumers to toxic chemicals. Prop 65 has achieved notable success in encouraging industry to make safer products. For instance, lead-free china and lead-free faucets have become the industry standard due to Prop 65.

Congress has also passed other important right-to-know laws. In 1992, Congress passed the Residential Lead-Based Paint Hazard Reduction Act which contains the simple requirement that families be warned of potential lead hazards in their homes. The objective is to inform families about the risks of lead poisoning so that families can take appropriate steps to reduce their risks.

Similarly in 1996, the Safe Drinking Water Act Amendments and the Food Quality Protection Act both included provisions to ensure the public's right-to-know. The new Safe Drinking Water Act Amendments will require public water systems to inform their customers about contaminants in their drinking water. This is important to the vulnerable members of our society who may be particularly susceptible to waterborne disease. The Food Quality Protection Act will for the first time require disclosure in supermarkets of foods which have pesticide residues that meet certain higher risk standards.

Based on these experiences we should comprehensively expand the federal right-to-know law. The vast majority of chemicals in the marketplace are untested; we need to create incentives for testing so that the public is not exposed to unknown risks. The right-to-know law should publicly disclose the same kinds of information required by the most successful state programs. The law needs to address polluting facilities which have escaped existing reporting requirements and it should include the pollutants which pose the most serious threats to our children's health.

I am sponsoring legislation that would turn these goals into reality. My common-sense bill would cost little but bring significant benefits to nearly every American family. With a foundation of historical success and fueled with growing bipartisan support, now is the time for Congress to expand the public's right-to-know.