



Potential Public Health Legislation on Toxics  
Maryland PIRG Citizen Lobby  
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## Overview: Toxic Free Maryland

We are exposed to chemicals every day, from the products all around us. Most chemicals have not been tested for safety by the government. We are exposed to chemicals that haven't been proven safe—and these exposures add up over time.

Toxic chemical exposure is linked to a host of health effects including: cancer, learning disabilities and developmental disorders, fertility problems, asthma, respiratory problems, endocrine disruption, and lowered IQ.

We have no time to waste to protect our families and the most vulnerable populations from toxic chemical exposure - fetuses, newborns, children, pregnant and nursing mothers, men who bear children, the elderly, and workers.

While the federal government has failed to implement strong chemical safety laws, the Maryland General Assembly has a strong history in protecting our families from exposure, and there is a robust group of activists and organizations working to advocate for strong protections, including Maryland PIRG, NRDC, MD Academy of Pediatrics, Maryland Sierra Club, Clean Water Action, Chesapeake Physicians for Social Responsibility, Maryland Environmental Health Network, and others.

Here are some of the top chemicals of concern for public health professionals and advocates:

### 1. Flame Retardant Chemicals

Chemical flame retardants are found in many products in our home: toys, couches, electronics, and mattresses, for example. Commonly used chemical flame retardants are linked to cancer, lower IQ and poor attention in children, hormone disruption, thyroid effects, and obesity.

The prevailing justification for why flame retardants are so prevalent in consumer products is for safety. Unfortunately, according to U.S. Consumer Product Safety Commission (CSPC) these chemicals aren't that effective against fires. Moreover, they release toxic gases and fumes as they burn. This poses occupational health hazards to firefighters, who are consistently exposed to ambient gases released by burning materials.

Because of the public health risks and failure to improve fire safety, many states are restricting the use of chemical flame retardants, and in September 2017, the Federal Consumer Product Safety Commission (CPSC) released federal guidance recommending against their use entirely. State have also stepped up to enact strong regulations on chemical flame retardants. In 2018 California passed a law which bans the sale of children's products, mattresses and upholstered furniture containing chemical flame retardants. Vermont and Rhode Island have passed similar measures.

In Maryland, legislators may consider legislation to strengthen protection from these toxic chemicals, such as replicating the new California law to stop the use of organohalogen flame retardants in children's products or furniture.

## **2. DCM and NMP in Paintstrippers**

The chemicals methylene chloride (DCM) and N-methylpyrrolidone (NMP), used in paint and coating removal, are not only linked to negative health impacts, they have also caused immediate death, including 3 known deaths in Maryland. DCM is linked to lung and liver cancer, neurotoxicity, and reproductive toxicity. NMP impacts fetal development and can cause miscarriage and stillbirth.

In 2017, the EPA proposed bans on the use of these chemicals, citing “unreasonable risk of injury to health.” Unfortunately, the Trump Administration has pulled back the proposed ban, and these products are still on store shelves and people are dying – both from “DIY” use and professional use. Since, major retailers have voluntarily committed to removing products that contain these chemicals from store shelves, including: Lowe’s, Sherwin-Williams, Home Depot, and Walmart.

In 2018, Maryland was the first state in the country to consider a state level ban on DCM and NMP. While the bill did not move, it is likely to be reconsidered in 2019.

## **3. Lead in consumer products and drinking water**

Lead is a potent neurotoxin that affects how our children learn, grow, and behave. According to EPA, “In children, low levels of [lead] exposure have been linked to damage to the central and peripheral nervous system, learning disabilities, shorter stature, impaired hearing, and impaired formation and function of blood cells. There is no safe level of lead exposure.

Children can be exposed to lead in a number of ways including through old lead paint (which degrades into easily ingested dust), old pipes and fixtures that leach lead into water, as well as through various consumer products and contaminated soil.

While Maryland has made great strides at reducing lead poisoning, there is more that we can do to ensure that our children are safe from exposure to lead at home, in school, and in our communities. It is time to fully remediate for lead in homes, schools, and public infrastructure.

In 2018 there may be legislation to lower the action level for lead in children. Likewise, as results of the new testing requirements for lead in schools, there may be legislation or budget action to strengthen the requirements for testing, response, and remediation.

## **4. PFAS in Fire Fighter Foam and Food Packaging**

PFAS, or highly fluorinated chemicals, are a group of manufactured chemicals that have been used in a wide range of products as degreasing and water-proofing agents. PFAS has contaminated drinking water in states across the country through industrial dumping and runoff. PFAS exposure causes liver and kidney cancer, decreased fertility, increased incidences of thyroid problems, and decrease immune response to vaccines in children.

PFAS are often used in food packaging and as an additive in firefighting foam. They are used to keep food from sticking to cookware, to make sofas and carpets resistant to stains, and to make clothes and mattresses more waterproof. We are exposed to the chemicals through the products we use, as well as through water and air contamination.

In recent years, many states have considered or taken action to restrict PFAS or limit PFAS levels in water and there has been some discussion about doing so in Maryland.

### **Sources on Flame Retardants**

[Flame retardant ban signed into California law, Children's products, mattress foam and upholstered furniture covered](#), Chemical Watch, Oct. 1 2018.

[Guidance Document on Hazardous Additive, Non-Polymeric Organohalogen Flame Retardants in Certain Consumer Products](#), Consumer Product Safety Commission, 09/28/2017.

Hawthorne, Michael, "Testing shows treated foam offers no safety benefit. Fire-resistant barriers may do better job, cut chemical exposure," Chicago Tribune, May 6, 2012.

Lyche, Jan L., et al. "Human health risk associated with brominated flame-retardants (BFRs)." *Environmental International*, vol. 74, Jan. 2015, pp. 170-80. *ScienceDirect*, doi:10.1016/j.envint.2014.09.006.

[U.S. Environmental Protection Agency. Flame Retardants Used in Flexible Polyurethane Foam: An Alternatives Assessment Update](#). 2015, August.

[Washington State Department of Health for the Children's Safe Product Act](#) –. *Rationale for Reporting List of Chemicals of High Concern to Children*. 18 Apr. 2011.

### **Sources on DCM and NMP in Paintstrippers**

[Safer Chemicals, Methylene Chloride](#)

Jamie Smith Hopkins, "[Breathing Death: This chemical is found in most hardware stores and kills suddenly. Why has the EPA done nothing?](#)," Slate, September 21, 2015,

Lydia Wheeler, "[Chemical in paint remover found dangerous for pregnant women](#)," The Hill, March 23, 2015,.

"[TSCA Work Plan Chemical Risk Assessment: Methylene Chloride](#)," Environmental Protection Agency, August 2014,

"[Why is dangerous chemical in common paint strippers still on the market?](#)" CBS News, December 7, 2017,

### **Sources on Lead**

[State-mandated testing finds lead in water at two dozen local schools](#); Baltimore, Howard counties will test this year, Baltimore Sun, August 17, 2018.

[High levels of lead found in some water outlets in schools in Montgomery and Anne Arundel](#), Washington Post, August 16, 2018.

[High lead levels a costly concern at schools in Maryland](#), Associated Press April 9, 2016.

[Lead contamination forces water shut off at a Prince George's Co. elementary school](#), WUSA, Oct 10, 2016.

[Get the Lead Out](#), Maryland PIRG Foundation Feb, 20, 2017.

### **Sources on PFAS**

[PFAS Factsheet from NIEHS](#)

CDC (Centers for Disease Control and Prevention). 2009. [Fourth National Report on Human Exposure to Environmental Chemicals](#). Atlanta, GA: Centers for Disease Control and Prevention.

[Basic Information on PFAS](#) and [State Action](#), EPA.