



February 12, 2014

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U.S.A.

The Honorable Senator Clair Ayer  
Chair of the Senate Health and Welfare Committee

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Re: Testimony on S.239 Regulation of Toxic Substances

Dear Senator:

I thank you and the Committee for allowing me to testify on Friday January 31, 2014. I had no prepared remarks for the record at the time and offer this written record.

The points I was trying to make are the following:

- A) Omya does not sell directly to the consumer products market
- B) Omya is the beginning of the supply chain for many consumer products
- C) Omya feels this proposed legislation is too broad and very undefined
- D) Senator Lyons indicated in the question period that the State just needs to use a 'list' of toxic chemicals from another State (i.e. Maine) without having to vet any chemicals. This approach is of concern to Omya.
- E) Silica is a known carcinogen and will probably be on that 'list'. Silica is a naturally occurring mineral and very prevalent in the State of Vermont.
- F) The street name for silica is 'sand and gravel'
- G) There has not been a documented case of silicosis since the 1940's when dust collection became the standard to remove nuisance dust within the work place
- H) Silica is in Omya's product although at low levels
- I) This proposed legislation is best handled at the Federal level
- J) The broad based 100 parts per million de minimus level proposed needs to be consistent with other regulations. Vermont needs to recognize and not conflict with current regulatory requirements.

I thank you for the opportunity to speak to the Committee and if there are any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "James B. Stewart". The signature is fluid and cursive, with the first name "James" being the most prominent part.

James B. Stewart  
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