

S.103 (Vetoed). Environmental health; toxic substances; chemicals of high concern to children

An act relating to regulation of toxic substances and hazardous materials

This bill would have amended or enacted provisions related to the management or regulation of toxic substances in the State. The bill would have established an Interagency Committee on Chemical Management (ICCM). The ICCM would have: evaluated chemical inventories in the State; identified risks to human health or the environment from chemical inventories; and proposed measures to address identified risks from chemical inventories.

The bill would have required the ICCM to recommend to the General Assembly draft legislation to: establish a centralized chemical reporting system for businesses to report use and for citizens to review chemical use data; amend existing State chemical use recordkeeping and reporting requirements; and amend the Toxic Use and Hazardous Waste Reduction Program.

The bill also would have required a new groundwater source to be tested prior to use as a well. A groundwater source would have been defined as any supply of water from the ground, including a well. The groundwater source would have been tested for: arsenic, lead uranium, gross alpha radiation, total coliform bacteria, nitrate and nitrite, fluoride, manganese, or a chemical required by Agency of Natural Resources (ANR). ANR would have been authorized to require testing for a chemical by region.

ANR would have been required to adopt rules to implement groundwater source testing, including when to test; who could test; and how to sample. Failure to test a source would not affect marketability of title if test results were sent to the Department of Health before conveyance of a property. The act would have provided that a permit to operate a failed potable water supply would not be needed to use a failed supply of one groundwater source providing water to a single family residence.

The bill would have required a manufacturer of a children's product containing a chemical of high concern to children (CHCC) to report the brand name, product model, and available universal product code of a product. The Commissioner of Health would have been authorized to add a chemical to the CHCC list on the basis of independent, peer reviewed research.

The bill would have allowed the Commissioner of Health by rule to restrict the sale of or require the labeling of a children's product containing a CHCC after consultation with a Working Group, instead of upon recommendation of the Working Group. The bill would have authorized the Commissioner of Health to restrict the sale or require labeling of a children's product with a CHCC if the Commissioner determined children may be exposed to a CHCC in the product.

Vetoed by the Governor: April 16, 2018

Effective Date: Not applicable