

S. 103 TESTIMONY TO VT SENATE NATURAL RESOURCES & ENERGY COMMITTEE MARCH 15, 2017

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Thank you for taking the time to listen to my testimony. I am recently retired from 30+ years working as a chemist for the Vermont Agency of Agriculture, where I spent much of my time working on issues related to pesticide and other toxics in our environment. I recently completed a report for the Lake Champlain Basin Program entitled: **“Organic Contaminants of Emerging Concern in the Lake Champlain Basin: A Review of Current Knowledge, 2016.”** This report compiled virtually all available data on (primarily unregulated) emerging contaminants in our surface waters. My primary interest today is in discussing toxics and emerging contaminants entering our surface waters from use of consumer products. Products such as shampoos, soaps and detergents, sunscreens, and insect repellents contain ingredients which are of concern due to their possible toxicity to aquatic life, and for which we currently have no information on use of these products in Vermont.

Having attended most of the Act 154 Committee meetings, I would like to commend the Act 154 committee and yourselves for all of the hard work which has gone into getting S. 103 to where it is today. The Act 154 Committee did an excellent job of evaluating what information is needed concerning human health risks from manufacture and use of consumer products. Unfortunately, they were not able to evaluate environmental concerns.

Below are several comments I would like to make concerning the bill as it stands.

- 1) The Committee on Chemical Management created in S. 103 should include outside experts, rather than creating a separate advisory committee. A committee similar to the Act 154 committee or the Vermont Pesticide Advisory Council, containing state regulators as well as representatives of industry, environmental organizations, and university researchers is more efficient and ensures that other experts are heard. Evaluation of annual data and recommendations on new contaminants to be regulated should include as many experts as possible and they should be involved in decision making, not just advising. As written, the advisory committee is only involved in developing a reporting system.
- 2) Definitions of “Persistent, Bioaccumulative, Toxic” contaminants and “Chemicals of Concern” require evidence of human health risks. This effectively eliminates evaluation or inclusion of any “contaminants of emerging concern” with respect to the environment.
- 3) Section 1775 defines reporting requirements for “Chemicals of High Concern”. The amount of contaminant in a consumer product is required to be reported, but not how much of that product is sold/used/consumed in the state. In order to evaluate environmental effects of chemicals of concern, the quantity potentially entering the environment needs to be known. Adding a requirement to report number, weight, or volume of product sold/used/consumed would solve this problem.
- 4) One of the Act 154 committee recommendations was: “Expand pesticide use reporting requirements beyond commercial applications and identify sales to consumers...” Currently we have no information on quantity or type of pesticides used by consumers. This information is vitally important to determining the environmental impact of homeowner pesticide use.

Overall, I believe greater emphasis is needed in Vermont on determining the environmental consequences of everyday living in Vermont. In the past few years, concerns have been raised about antimicrobials, Bisphenol A, phthalates, etc. in consumer products not only having a possible effect on people but on our environment. Fish, aquatic plants and insects all have been shown to be effected by contaminants in urban and agricultural runoff as well as wastewater treatment plant effluent. Bass in Lake Champlain have been shown to be experiencing feminization of male fish due to an unknown cause. I would like to suggest a study committee, similar to the Act 154 Committee, be created to look into this issue in Vermont, and develop a strategy to monitor for emerging contaminants in our surface waters.