

ENERGY, TRANSPORTATION, AND ENVIRONMENT

Resolution ETE-17-41

A RESOLUTION ON CREATING A SAFE AND HEALTHY ENVIRONMENT THROUGH INNOVATION

WHEREAS, there has been a history of environmental dangers, particularly in communities of color, in cities like West Dallas, TX, Uniontown, AL, Chester, PA, East Chicago, IN, and as recently Flint, MI;

WHEREAS, a 2016 study published in *Environmental Research Letters* demonstrated factories, warehouses, and other facilities using hazardous chemicals, are overwhelmingly in low-income communities of color;

WHEREAS, a 2015 study published the same journal, showed that hazardous waste treatment, storage, and disposal plants often are located in low-income communities of color as well;

WHEREAS, African Americans are 75 percent greater and Latinos are 60 percent greater to live in “fenceline zones,” places where chances are highest for death or injury after a chemical accident;

WHEREAS, environmental justice is the “fair treatment and meaningful involvement of people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies;”

WHEREAS, the Hazardous Substances Emergency Events Surveillance (HSEES) was established by the Agency for Toxic Substances & Disease Registry ATSDR, to “collect and analyze information about acute releases of hazardous substances and threatened releases that result in a public health action;”

WHEREAS, only 14 states participate in the HSEES: Colorado, Florida, Iowa, Louisiana, Michigan, Minnesota, New Jersey, New York, North Carolina, Oregon, Texas, Utah, Washington, and Wisconsin; and

WHEREAS, safer environmental regulations on chemical production, distribution, and elimination can reduce the risk to all communities.

THEREFORE BE IT RESOLVED, the National Black Caucus of State Legislators (NBCSL) calls for the use of alternative production processes, the use of safer chemicals, redesigned products and systems, and innovative products in efforts to eliminate hazardous chemicals;

BE IT FURTHER RESOLVED, chemicals slow to degrade, accumulate in our bodies or living organisms, or are highly hazardous to humans or the environment be the first to be eliminated from regular use are not exported to other countries;

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BE IT FURTHER RESOLVED, the public and workers should have a full right to know and participate on the decision of chemicals, including, disclosing chemicals and materials, listing quantities of chemicals produced, used, released, and exported, and providing public/worker access to chemical hazard, use and exposure information;

BE IT FURTHER RESOLVED, NBCSL urges companies to act with foresight and prevent harm from new or existing chemicals when credible evidence of harm exists, even when some uncertainty remains regarding the exact nature and magnitude of the harm;

BE IT FURTHER RESOLVED, NBCSL urges manufacturers to publicly provide available safety information about a chemical. The information must be sufficient to permit a reasonable evaluation of the safety of the chemical for human health and the environment, including hazard, use and exposure information;

BE IT FURTHER RESOLVED, that when communities and workers are exposed to levels of chemicals that pose a health hazard, that immediate action is taken to contain and eliminate these exposures and resulting harm; and

BE IT FINALLY RESOLVED, that NBCSL send a copy of this resolution to the President of the United States, the Vice President of the United States, members of Congress, and other federal and state government officials as appropriate.

SPONSOR: Representative Harold Mitchell (SC)

Committee of Jurisdiction: Energy, Transportation, and Environment Policy Committee

Certified by Committee Co-Chair: Representative Billy Mitchell (GA)

Ratified in Plenary Session: Ratification Date is December 3, 2016

Ratification is certified by: Senator Catherine Pugh (MD), President