

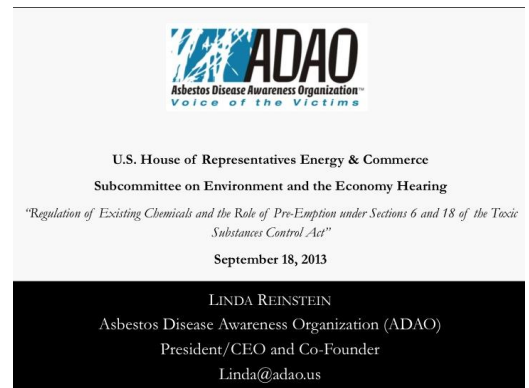
The Committee on Energy and Commerce
Subcommittee on Environment and the Economy
"Regulation of Existing Chemicals and the Role of Pre-Emption under Sections 6 and 18 of the Toxic Substances Control Act"
Linda Reinstein, President/Co-founder and Mesothelioma Widow
Asbestos Disease Awareness Organization (ADAO)
Wednesday, September 18, 2013

Thank you for the honor and opportunity to testify at your critically important hearing. I will summarize my written statement about TSCA Section 6.

I know far too well that toxic chemicals are not just "threats."

They are a real part of the life and death for many Americans.

During the past 10 years since I've been coming to Washington, DC, more than 100,000 Americans have lost their lives because of asbestos.



I am neither a lobbyist nor an attorney. I am a mesothelioma widow and Co-founder of the Asbestos Disease Awareness Organization (ADAO). Founded in 2004, ADAO is now the largest independent non-profit organization in the U.S. dedicated to eliminating asbestos-caused diseases.

Asbestos Disease Awareness Organization is a registered 501(c) (3) nonprofit organization
"United for Asbestos Disease Awareness, Education, Advocacy, Prevention, Support and a Cure"
1525 Aviation Boulevard, Suite 318 · Redondo Beach · California · 90278 · 310.251.7477
www.AsbestosDiseaseAwareness.org

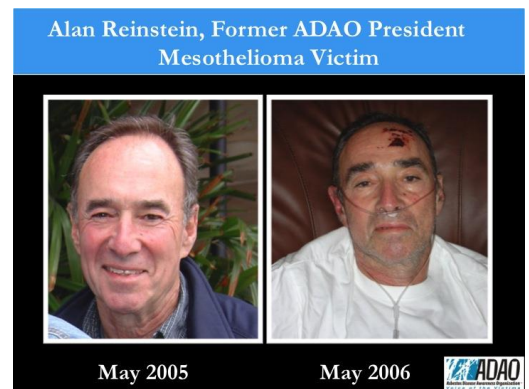
I'd like to dedicate my testimony to Janelle and Michael.

Tragically, **Janelle** lost her life this year to mesothelioma at the age of 37. She left behind her husband and 11-year-old son.

Michael, a 29-year-old mesothelioma patient, continues to fight for his life and faces limited treatment options.

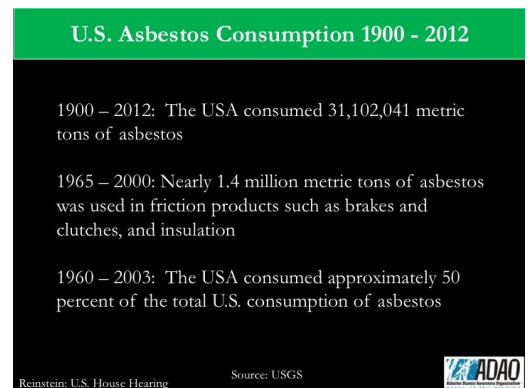


My husband, Alan, was diagnosed with pleural mesothelioma in 2003. We had never heard of this asbestos-caused cancer, and shortly learned it was incurable. Alan chose to undergo radical surgery which removed a rib, his left lung, stripped off his pericardium, and surgically replaced his diaphragm. When mesothelioma attacked Alan's remaining lung, each breath felt like he was breathing through a pinched straw, every second, every minute, every day. In 2006, Alan died with our then 13-year-old daughter and me by his side.



Sadly, our stories are far too common. **Asbestos, a known human carcinogen, is still legal and lethal in the United States.**

The Toxic Substances Control Act (TSCA) has failed to



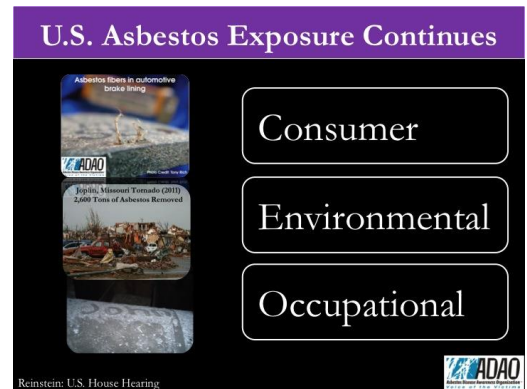
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protect public health and our environment. In 1989, the EPA issued a final rule under Section 6 of TSCA, banning asbestos-containing products. In 1991, however, this rule was overturned by the Fifth Circuit Court of Appeals. As a result, there is no ban on the manufacture, importation, processing, or distribution in commerce of asbestos-containing products. Asbestos has been banned in 54 countries without an “economic consequence.” It is time for TSCA reform, and more importantly, for the burden of proof to shift to the chemical manufacturers to prove a chemical is safe.

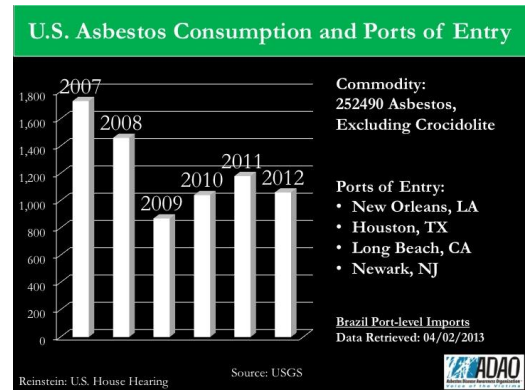
Consumer, environmental, and occupational exposures

continue. From 1900 to 2012, we have used more than 31 million tons of asbestos. Since 1965, nearly 1.4 million tons of asbestos has been used just in friction products, such as vehicle brakes and clutches. **Do you know where asbestos is in your**

home, district, or inside the Capitol? Your constituents can't manage this toxic risk on their own. It was reported that 2,600 tons of asbestos debris were removed after the Joplin, Missouri tornado and tons of toxic debris littered the coastline after Hurricane Sandy. It was California's Prop 65 that removed a contaminated toy from store shelves – not the EPA.

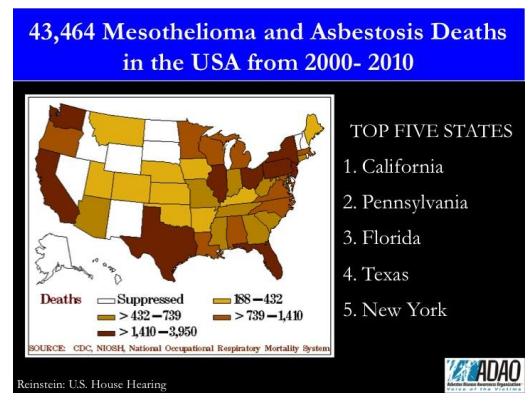


Last year, we imported 1,060 tons of asbestos to meet so called “manufacturing needs.” I’ve tried for nearly two years through FIOA to identify who is importing asbestos, what is being manufactured, and where is the end product being used – but my questions were unanswered. Due to trade laws such as U.S. Code Title 13, Chapter 9, Section 301(g) - import information is confidential to the public.

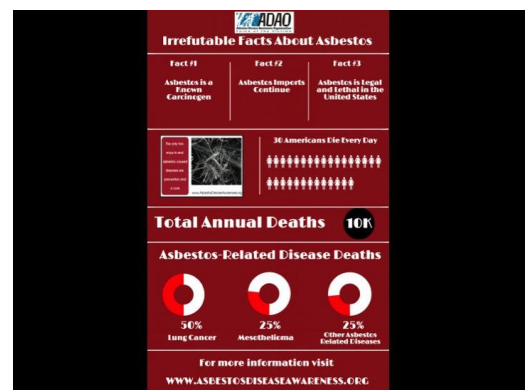


Asbestos is responsible for the largest man-made disaster.

The Centers for Disease Control and Prevention’s NIOSH statistics from 2000 to 2010 revealed that 43,464 Americans died from mesothelioma and asbestosis – which are just two of the asbestos-caused diseases.



During this hearing, witnesses have discussed the cost benefit analysis and least burden alternatives in Section 6 that prevented asbestos from being banned – but for us – the cost has been our lives. Alan, Janelle, Michael, and hundreds of thousands of asbestos victims and their families deserve responsibility, accountability, and transparency. Without these - no one is safe.



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Asbestos facts are irrefutable. Every day, 30 Americans die from preventable asbestos-caused diseases. *We cannot alter history or bring back the dead, but we can learn from the past to save lives.* Congress must protect public health and pass meaningful TSCA reform legislation which empowers the EPA to finally ban asbestos.

One life lost to a preventable asbestos-caused disease is tragic; hundreds of thousands of lives lost is unconscionable.

Prevention is the only cure.

I have attached to this testimony a petition signed by over 2,700 people who support a U.S. asbestos ban.

