



THE  
ENVIRONMENTAL  
COUNCIL OF  
THE STATES

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**Sambhav (Sam) Sankar**

Executive Director &  
General Counsel

April 17, 2018

Dr. Nancy Beck  
Deputy Assistant Administrator, OCSPP  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460-0001

Via email to [beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

Subject: Request U.S. EPA designate mercury and mercury compounds as priority chemicals under the Lautenberg Act

Dear Dr. Beck:

The Environmental Council of States (ECOS), the nonpartisan, national association of state and territorial environmental agency leaders, is writing to urge U.S. Environmental Protection Agency (U.S. EPA) to designate mercury and mercury compounds as high priority chemicals under the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act (Lautenberg Act).

The Lautenberg Act, which amended the Toxic Substances Control Act (TSCA), requires U.S. EPA to designate chemicals as high priorities in order to be addressed under the Act's provisions. U.S. EPA has been working to establish a process for prioritizing and evaluating risks from existing chemical substances. As part of this process, U.S. EPA held a meeting in December 2017 regarding approaches for identifying potential candidates for prioritization.

Although not part of an ongoing prioritization process, given the vast body of information on risks posed by mercury and mercury-containing compounds, the provisions of the Minamata Convention addressing global mercury pollution and impacts, and the fact that the Lautenberg Act itself singles out mercury and mercury compounds under the Section 8(a) mercury reporting rule, ECOS believes mercury and mercury compounds should be designated as priority chemicals. The lack of such a designation will impede U.S. EPA from taking actions to make progress on mercury pollution.

If you have any questions or would like to discuss this further, please contact Quicksilver Caucus Chair Mark Smith at 617-292-5509 or [c.mark.smith@state.ma.us](mailto:c.mark.smith@state.ma.us).

Thank you very much for your attention to this important issue.

Sincerely,

Sambhav Sankar  
Executive Director and General Counsel