

Message from the President – November 2010

A “Tour” of ASC’s 2010 Government Relations Activities



GREETINGS!

In honor of Thanksgiving—the most traveled holiday in the United States—I thought it would be a good idea to “tour” the U.S. to examine the regulatory issues that ASC has responded to in the past year.

Our tour begins in the craggy rocks of Maine where the state’s Manufactured Housing Board forwarded a poorly worded notification to state modular building inspectors that could effectively have banned a specific ASC member company’s product without warning. The notification singled out the product’s brand name exclusively.

We alerted the ASC member company, and it immediately contacted the state agency. The notification was modified in both language and the focus of the issue, resulting in a **small regulatory win for ASC and its members.**

We now head south down Interstate 95 into the former swamp-turned-federal-seat of these United States of America: Washington, DC. Earlier this year, Chairman Rush and Congressman Waxman introduced H.R. 5820, Toxic Chemicals Safety Act of 2010, which represents the single largest, most comprehensive changes to chemical laws since the original TSCA Act of 1976. The proposed law turns the science-based, risk assessment approach to chemical formulation 180 degrees; it opens up the possibility that confidential business information would be shared within five years of a chemical coming to market; and it would force 100% of all formulations to be tested, potentially choking off the materials flow of product in the short term, and stifling innovation in the long term.

ASC participates actively in the American Chemical Council’s Chemical Interest Group (CIG), and supports TSCA Reform—but reform that addresses significant flaws found within the proposed legislation. Our collective efforts resulted in the legislation not making it through the 111th Congress. With the recent changes in leadership on the Hill, ASC has an opportunity to work with its partners in the CIG and move forward with TSCA Reform that is credible and science-based. This is a **solid win for ASC and its members, and a new opportunity to address regulation that is needed, but flawed as it is currently written.**

Next, a quick cab ride out to the Maryland suburbs, home to the Environmental Protection Agency, where ASC learned of a pending Chemical Action Plan (CAP) for a product manufactured by several ASC member companies. ASC learned that the plan continues to be reviewed and discussed, but is on hold pending further examination by EPA.

Working closely with the Polyurethane Institute, ASC has shared information and held update discussions as it continues to monitor this CAP, and is ready to respond side-by-side with its affected member companies. **RESULT? A tie as we wait for the final wording and approach from EPA.**

We now head west to the regulation bellwether state of California where the Department of Toxic Substances Control of the California EPA has drafted Green Chemistry for Safer Consumer Products—a

regulation written so widely that just about every single “noun” in the dictionary is considered a consumer product, including buildings, bridges and telephone poles.

Much like TSCA, this regulation is flawed as it relates to the protection of confidential business information, but even more significantly, now a government agency will be in a position to ban a consumer product from the California marketplace simply because a “chemical of concern” could be present in the intermediate manufacturing process. In the coming year, ASC will be closely monitoring how this regulation goes forward and its impact on members’ products. **This could be a difficult loss for ASC and its members, but we will monitor the final details.**

These are just four small examples of how The Adhesive and Sealant Council delivers value to its member companies via government relations efforts. In some cases, like TSCA Reform, the laws are broad and expansive and involve partnering with many other chemically-oriented trade associations much larger than ASC. In other cases, ASC makes a difference by working collaboratively with members that are being directly affected by particular issues.

ASC’s Government Relations exists to serve your interests and to ensure that proposed regulations are approached fairly and with science behind them. Our strategy is to keep safe products in the marketplace, available without limitations. We also want to assure the public and government at all levels, that those products needing added measures in order to be produced and distributed safely, are being handled properly.

It’s not that hard to put a price on this type of service. In Washington, there are a number of organizations, lawyers and lobbyists that can perform the work. They charge between \$3,000 and \$70,000 a month, depending on the scope and effort needed.

Your ASC GR team is part of the dues that your company pays to support the industry and keep our safe and usable products in the marketplace where they belong—adding value to the lives we all live each day.

In the coming months, you will see more from the GR team at ASC as we begin more significant outreach and knowledge sharing with you all. I urge you to pay attention, and put us in touch with the personnel and teams that are involved in GR within your organizations. This will help us develop a strong “alert network” when we need to disseminate news and information that is coming from the Hill, EPA or state and local governments, and allow us the opportunity to respond quickly, with facts and information from industry.

Contact me at matt.croson@ascouncil.org or Mark Collatz at mark.collatz@ascouncil.org to learn more about the Government Relations Committee being developed, or to make sure you and your company receive *Washington Watch* and other alerts from the ASC GR team.

Have a safe and happy Thanksgiving!

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