SB0082: Public Health - Sale and Distribution of Products Containing NMP and DCM - Prohibition
Finance Committee
January 31st, 2019
Position: Favorable

Maryland PIRG is a statewide, non-partisan, non-profit, citizen-funded public interest advocacy organization with grassroots members across the state and a student funded, student directed chapter at the University of Maryland College Park. For forty years we've stood up to powerful interests whenever they threaten our health and safety, our financial security, or our right to fully participate in our democratic society.

The chemicals methylene chloride (DCM) and N-methylpyrrolidone (NMP), used in paint and coating removal, are not only linked to negative health impacts, they have also caused immediate death, including 3 known deaths in Maryland.[1] **These chemicals need to be banned immediately.**

Maryland PIRG, along with our sister organizations and coalition partners around the country, petitioned the EPA to ban commercial and consumer uses of DCM and NMP in paint and coating removal. In 2017, the EPA proposed bans on the use of these chemicals, citing "unreasonable risk of injury to health." **According to the Washington Post, as of January, it appears that the EPA may finally be taking steps towards banning the consumer sale of the chemical, but still allowing for commercial use.[2]**

<u>We cannot wait any longer to protect Maryland consumers and workers from these deadly chemicals. Safer alternatives are readily available.</u>

Major retailers such as Lowe's, Home Depot, Walmart, and Amazon have committed to stop selling products containing these toxic chemicals. AutoZone and Sherwin-Williams have made similar commitments. DCM and NMP are already banned in Europe. The United States and Maryland already place some restrictions on DCM: it is banned as an ingredient in cosmetics by FDA; it is prohibited for use in removing lead-based paint by HUD; and, it is considered a potential occupational carcinogen by NIOSH. DCM is also prohibited from use in graffiti removal in 11 States & DC, including Maryland.

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[1] Safer Chemicals, Methylene Chloride, http://saferchemicals.org/get-the-facts/chemicals-of-concern/methylene-chloride/

[2] "EPA moves to ban toxic paint-stripper chemical for some — but not all — uses," Washington Post, Jan. 8th, 2019, https://www.washingtonpost.com/energy-environment/2019/01/08/epa-moves-ban-toxic-paint-stripper-chemical-some-not-all-uses/?

These chemicals are highly toxic. If you've ever used a can of paint stripper, you know it smells toxic. It is. And even short-term exposure to some paint strippers can be deadly.

- The chemicals can cause asphyxiation and heart attacks.
- Paint strippers containing DCM have been linked to dozens of deaths from uses like refinishing bathtubs, cleaning and gluing carpets, and stripping pools.[3]
- NMP is dangerous too: If a pregnant women is exposed, her child is at risk of serious developmental problems.[4]
- Exposure to both DCM and NMP has been linked to liver damage and cancer.[5]

News coverage:

- In December 2018, CBS News covered a story of the death of a 31-year-old Joshua died working on refinishing his bike.[6]
- In December 2017 CBS News covered a story on the death of 21-year-old Kevin Hartley, who died at work refinishing a bathtub.[7] Kevin took a special training course to protect himself from chemicals used to strip paint. But despite wearing gloves and a respirator, he was overcome by the chemicals in the paint stripper he was using.
- December NPR Story: Retailers Plan To Clear Deadly Paint Removers From Shelves, As EPA Delays Ban.[8]
- Maryland's own Jamie Smith Hopkins wrote a compelling story on DCM and NMP for the Center for Public Integrity, which was published at Slate.[9]

There is simply no good reason to use such dangerous chemicals in paint strippers. Let's save lives by banning DCM and NMP in paint strippers. **We respectfully request a favorable report on SB0082.**

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[3] Jamie Smith Hopkins, "Breathing Death: This chemical is found in most hardware stores and kills suddenly. Why has the EPA done nothing?," Slate, September 21, 2015, http://www.slate.com/articles/news_and_politics/politics/2015/09/methylene_chloride_is_a_deadly_chemical_found_in_paint_thinners_why_has.html.

[4] Lydia Wheeler, "Chemical in paint remover found dangerous for pregnant women," The Hill, March 23, 2015, http://thehill.com/regulation/236659-chemical-in-paint-remover-found-dangerous-for-pregnant-women.

[5] "TSCA Work Plan Chemical Risk Assessment: N-Methylpyrrolidone: Paint Stripper Use," The Hill, March 23, 2015, https://www.epa.gov/sites/production/files/2015-11/documents/nmp_ra_3_23_15_final.pdf.

[6] EPA still hasn't acted nearly two years after proposing ban on deadly chemical methylene chloride, CBS News, December 27, 2018. https://www.cbsnews.com/news/epa-still-hasnt-acted-2-years-after-proposing-ban-on-deadly-chemical-methylene-chloride/

[7] "Why is dangerous chemical in common paint strippers still on the market?" CBS News, December 7, 2017, https://www.cbsnews.com/news/dangers-of-common-paint-stripper-chemical-methylene-chloride/

[8] Retailers Plan To Clear Deadly Paint Removers From Shelves, As EPA Delays Ban, NPR, November 12, 2018. https://www.npr.org/sections/health-shots/2018/11/12/657856033/retailers-plan-to-clear-deadly-paint-removers-from-shelves-as-epa-delays-ban

[9] Jamie Smith Hopkins, "Breathing Death: This chemical is found in most hardware stores and kills suddenly. Why has the EPA done nothing?," Slate, September 21, 2015. http://www.slate.com/articles/news_and_politics/politics/2015/09/methylene_chloride_is_a_deadly_chemical_found_in_paint_thinners_why_has.html.