



BRIAN E. FROSH, MARYLAND ATTORNEY GENERAL

PRESS RELEASE

**FOR IMMEDIATE RELEASE:
June 7, 2021**

Media Contacts:
press@oag.state.md.us
410-576-7009

Attorney General Frosh Announces Settlement Requiring Asbestos Reporting by Chemical Industry to Protect Public Health *Biden's EPA Settles with States, Ending Trump's Challenge to Court Decision Requiring Necessary Reporting by the Chemical Industry*

BALTIMORE, MD – Maryland Attorney General Brian E. Frosh today announced a settlement reached with the U.S. Environmental Protection Agency (EPA) requiring the chemical industry to provide the agency with information about the use and importation of asbestos needed to protect the public from the serious health risks posed by the exposure of highly toxic asbestos.

Today's settlement follows a December 2020 ruling from the United States District Court for the Northern District of California in favor of the coalition, mandating EPA to impose the reporting requirements on the chemical industry. The Department of Justice filed a motion challenging that decision, but today's settlement ensures that EPA will have to act under the Court's mandate to move forward with the required reporting.

"Today's settlement ensures that the EPA does its job – namely to protect Americans from deadly asbestos," said Attorney General Frosh. "Gathering the appropriate data and regulating toxins like asbestos will save lives."

Asbestos is a highly hazardous mineral fiber used in a variety of piping and building materials, from roofing and flooring, to siding and wallboard, to caulking and insulation, as well as in sheet gaskets, brake blocks, aftermarket automotive brakes and brake linings, and other consumer products. Exposure to asbestos can lead to life-threatening illnesses, including asbestosis, lung cancer, gastrointestinal cancer, mesothelioma, and other lung disorders and diseases. Currently, those who import articles that contain asbestos or otherwise manufacture such products, including those products in which asbestos may be present as an unintentional contaminant, are exempt from providing EPA with information about these asbestos-containing products.

In January 2019, a coalition of attorneys general filed a petition with EPA under the Toxic Substances Control Act (TSCA) urging the agency to issue new regulations to provide data on the importation and use of asbestos in the United States. The coalition asserted that the new set of regulations is needed for the agency to meet its mandate under TSCA to prevent unreasonable

risks to health and the environment presented by asbestos and help ensure EPA's regulatory decisions are consistent with the best available science. EPA denied the states' petition and the multistate coalition, including Maryland, [sued the agency in July 2019](#), along with a group of NGOs led by the Asbestos Disease Awareness Organization.

Today's settlement, when approved by the Court, will compel EPA to issue the regulations sought in the attorneys general's petition, and will mark the first time a petition of this kind under TSCA has resulted in court-ordered rulemaking.

Joining Attorney General Frosh in the settlement are the attorneys general of California, Connecticut, the District of Columbia, Hawaii, Massachusetts, Maine, Minnesota, New Jersey, Oregon, and Washington.

<https://www.marylandattorneygeneral.gov/press/2021/060721.pdf>