

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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SENATE BILL 780

Short Title: DHHS/Develop State Chemical Action Plan. (Public)

Sponsors: Senators Bingham, Wade (Primary Sponsors); and Rabin.

Referred to: Agriculture/Environment/Natural Resources

April 28, 2016

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, TO DEVELOP A CHEMICAL ACTION PLAN THAT IDENTIFIES ACTIONS THE STATE MAY TAKE IN ORDER TO REDUCE THE THREATS POSED TO CHILDREN BY TOXIC CHEMICAL FLAME RETARDANTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and Human Services, in consultation with both the Department of Environmental Quality and the Department of Agriculture and Consumer Services, shall together develop a State Chemical Action Plan (Plan) that identifies and recommends actions that the State may take in order to reduce the threats posed to children by toxic chemical flame retardants in children's products. In developing this Plan, the three agencies shall:

- (1) Review and report on the activities of the United States Environmental Protection Agency as the Agency reviews and evaluates the data, information, and comments received, as those data, information, and comments pertain to children's products, for the following regulatory dockets:
 - a. Chlorinated Phosphate Esters cluster. Docket ID Number EPA-HQ-OPPT-2015-0068.
 - b. Tetrabromobisphenol A cluster. Docket ID Number EPA-HQ-OPPT-2014-0730.
 - c. Cyclic Aliphatic Bromides cluster. Docket ID Number EPA-HQ-OPPT-2015-0081.
 - d. Brominated Phthalates cluster. Docket ID Number EPA-HQ-OPPT-2014-0491.
- (2) Adopt a toxic chemical flame retardants use reporting plan for manufacturers of children's products.
- (3) Evaluate and apply any other relevant reports or actions that the agencies deem appropriate, including input from stakeholders.
- (4) Based on the information obtained in the review required by subdivisions (1) and (3) of this section, identify actions that the State may take to reduce children's exposure to toxic chemical flame retardants posed by children's products.



1 **SECTION 2.** For purposes of developing the Plan as required by Section 1 of this act,
2 the term "children's products" means the following:

3 (1) Bedding products, as that term is defined in G.S. 106-65.95, that are designed
4 for or used by children 12 years of age or younger; including crib mattresses.

5 (2) Nursing pillows and other similar nursing aids.

6 (3) Changing table pads.

7 **SECTION 3.** The Department of Health and Human Services shall report on the State
8 Chemical Action Plan, including findings, recommendations, and any legislative proposals to
9 adopt the Plan, to the Environmental Review Commission and the Joint Legislative Oversight
10 Committee on Health and Human Services on or before December 1, 2017.

11 **SECTION 4.** This act is effective when it becomes law.