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EPA Petitioned to Update 47-Year-Old Toxic Pollutant List

Agency Has Failed to Control Discharges of Over 1,000 Toxic Pollutants Into Waterways

PORTLAND, Ore.— Conservation groups submitted a formal legal [petition](#) today urging the Environmental Protection Agency to add more than 1,000 industrial and commercial pollutants to its outdated list of toxic pollutants requiring regulation under the Clean Water Act.

No pollutants have been added to the list in 47 years.

The petition, from Northwest Environmental Advocates and the Center for Biological Diversity, addresses numerous categories of toxic pollutants the EPA has failed to oversee that are linked to cancer and other serious health and environmental concerns. Those include “forever chemicals” like PFAS; personal-care products that cause intersex fish; persistent bioaccumulative toxics used as flame retardants; a chemical in vehicle tires known to kill endangered coho salmon; and pesticides commonly used in industrial agriculture.

“For nearly 50 years, EPA has been ignoring the growing mountain of science about the more than 1,000 unregulated toxic chemicals contaminating our rivers and drinking water, at a tremendous cost to human health and the environment,” said Nina Bell, executive director at Northwest Environmental Advocates. “The American people count on EPA to keep our drinking water clean, remedy environmental injustice, and protect fish and marine mammals from toxic pollution, but the agency has betrayed that public trust. EPA needs to grant our petition and launch itself firmly into the science of the 21st century.”

The EPA acknowledges its list of toxic pollutants is outdated, a shortcoming that undermines the agency’s ability to restrict industrial and municipal discharges of pollutants into waterways. The Clean Water Act requires the EPA and states to take specific steps to prevent or limit listed pollutants from entering waters. Those actions include multiple requirements to reduce discharges of toxic pollutants.

The petition cites over 300 scientific reports documenting the adverse effects of unregulated toxic pollutants and their prevalence in waterways.

The original toxic pollutant list was created as the result of litigation in 1976 and subsequently incorporated into the Clean Water Act by Congress in 1977. Congress also instructed the EPA to add chemicals to the list over time.

“It’s stupefying that the last time the EPA updated its toxic pollutant list, the 8-track was considered an advanced technology and Gerald Ford was president,” said Hannah Connor, environmental health deputy director at the Center for Biological Diversity. “Our world has changed dramatically over the past 50 years, but the EPA’s acting like we’re frozen in the ’70s. The agency has turned its back on the deluge of new, dangerously toxic pollutants that have poisoned our waterways and permeated our lives.”

Background

Among notable toxic pollutants the petition urges the EPA to include in an updated toxic pollutant list are:

- *Manganese*: Manganese has severe neurological impacts on memory, intellectual development, and motor skills. Manganese pollution from coal mining and other industrial processes is particularly severe in Appalachia and has been detected at extremely high levels in drinking water, especially in low-wealth communities.
- *PFAS “Forever” Chemicals*: Despite the EPA’s efforts to prioritize addressing forever chemicals, the agency has failed to properly regulate these chemicals under the Clean Water Act in part because they have never been placed on the toxic pollutant list. These chemicals cause infertility, cancer, reduced immune response and adverse health impacts in children.
- *Nonylphenol*: Nonylphenols are widely used in a variety of industrial processes. They are endocrine disruptors and mimic estrogens, causing such severe harm to aquatic life that they have banned in the European Union. Endangered Puget Sound orcas have very high levels of nonylphenol causing harm to their ability to recover. These pollutants are virtually unregulated by the EPA.
- *Atrazine*: Despite being banned in more than 35 countries, including the European Union, atrazine remains the second-most used herbicide in the United States. It has been linked to increased risk of cancer and reproductive problems in people and can chemically castrate male frogs at extremely low concentrations, including those allowed in drinking water.

Northwest Environmental Advocates has been working since 1969 to assure a healthy environment that protects people, fish, and wildlife through enforcement of environmental laws, advocacy, and education.

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.