

CHEMICAL HERITAGE FOUNDATION

**THE TOXIC SUBSTANCES CONTROL ACT:
FROM THE PERSPECTIVE OF
LINDA J. FISHER**

Transcript of Interviews
Conducted by

Jody A. Roberts and Kavita D. Hardy

at

E. I. du Pont de Nemours and Company
Washington, D.C.

on

5 March 2010

(With Subsequent Corrections and Additions)

CHEMICAL HERITAGE FOUNDATION

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LINDA J. FISHER

1952 Born in Saginaw, Michigan on 16 November

Education

1974 B.A., History, Miami University of Ohio
1978 M.B.A., George Washington University
1982 J.D., Ohio State University

Professional Experience

U.S. House of Representatives, Washington, D.C.
1974-1976 Legislative Assistant to Representative Clarence J. Brown
1976-1978 Legislative Assistant to Representative Ralph S. Regula

U.S. House of Representatives Committee on Appropriations,
Washington, D.C.
1979-1980 Associate Staff Member

U.S. Environmental Protection Agency, Washington, D.C.
1983-1984 Special Assistant to the Assistant Administrator for Solid Waste
and Emergency Response
1985-1988 Chief of Staff to the Administrator
1988-1989 Assistant Administrator, Office of Policy, Planning and
Evaluation
1989-1993 Assistant Administrator, Office of Prevention, Pesticides and
Toxic Substances
2001-2003 Deputy Administrator

Latham & Watkins LLP, Washington, D.C.
1993-1995 Attorney

The Monsanto Company, Washington, D.C.
1995-2000 Vice President, Government Affairs

E. I. du Pont de Nemours and Company, Washington, D.C.
2004-Present Vice President, Safety, Health and Environment
2004-Present Chief Sustainability Officer

ABSTRACT

Linda J. Fisher was the Assistant Administrator of the Office of Prevention, Pesticides and Toxic Substances; at the time when she became the Assistant Administrator, the Office was primarily focused on pesticides. But, as Fisher recounted, the Office was committed to making the toxics program succeed, often by working around the Toxic Substances Control Act's (TSCA) statutory obligations.

While there was some Congressional oversight, there was no public or Congressional force for a reauthorization of the act in the early 1990s. The Office was then given increased responsibilities with the Pollution Prevention Act. This did not replace TSCA's role in the toxics program, but the Office did reallocate its limited resources accordingly. After the *Corrosion Proof Fittings v. EPA* case, and the administration's decisions not to appeal, Fisher chose not to pursue a revised asbestos rule because, from her perspective, the industry was changing too quickly and, for the most part, moving out of asbestos. The failure of the asbestos rule was extremely demoralizing to the Office, and created an insurmountable barrier to using Section 6, but the Office continued to be productive in its pollution prevention activities, voluntary measures, and international cooperation.

Fisher believes that difficulties in implementing TSCA were rooted in the law's lack of direction, but that since TSCA was written, the way Congress writes laws has matured. She also believes that a reauthorized TSCA will address the issues of a base set of data and confidential business information and that a stronger TSCA is necessary to accompany the voluntary and pollution prevention measures currently in place. She emphasizes that regulation should address exposures where they occur, whether in the manufacturing process or in products.

INTERVIEWERS

Jody A. Roberts is the Associate Director for the Center for Contemporary History and Policy and the Manager of the Environmental History and Policy Program at the Chemical Heritage Foundation. Roberts received his Ph.D. and M.S. in Science and Technology Studies from Virginia Tech and holds a B.S. in Chemistry from Saint Vincent College. His research focuses on the intersections of regulation, innovation, environmental issues, and emerging technologies within the chemical sciences.

Kavita D. Hardy is a research assistant in the Environmental History and Policy Program at the Chemical Heritage Foundation. She received a B.A. in Chemistry and Economics from Swarthmore College.

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