

# United States Senate

WASHINGTON, DC 20510

April 17, 2019

The Honorable John Kennedy  
Chairman  
Financial Services and General  
Government Subcommittee  
Senate Appropriations Committee  
Room 131 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Christopher Coons  
Ranking Member  
Financial Services and General  
Government Subcommittee  
Senate Appropriations Committee  
Room 125 Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairman Kennedy and Ranking Member Coons,

As you prepare the Fiscal Year (FY) 2020 Financial Services and General Government appropriations bill, we respectfully request that you include \$1.0 million for the Consumer Product Safety Commission (CPSC) to continue its critical work in evaluating and identifying the potential health risks to children associated with the use of recycled tire materials, also known as crumb rubber, in playground surfaces. The allocation of \$1.0 million for this assessment is consistent with previous CPSC budget requests. There is bipartisan recognition by Commissioners at the CPSC that the completion of this research is a top priority and critical to ensuring agency actions are supported by sound science.

Three years ago, the U.S. Environmental Protection Agency (EPA), the Centers for Disease Control and Prevention/Agency for Toxic Substances and Disease Registry (CDC/ATSDR), and the CPSC announced a multi-agency plan, known as the Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds (FRAP). The purpose of this collaborative effort was to study health effects from human exposure to the use of crumb rubber infill in playgrounds and synthetic turf fields. Unfortunately, it appears that research under this program may have stalled. Without specific appropriations to complete this study, the CPSC will not be able fulfill its duties as part of the FRAP. To ensure that the CPSC has the resources it needs to adequately assess the risk of exposure to crumb rubber, the CPSC must be specifically appropriated this funding.

The urgent need to complete this study is shared by both Republican and Democratic Commissioners at the CPSC. One of the first actions of the newly sworn-in Republican Commissioner Peter Feldman was to request a staff briefing on the status of CPSC's research on crumb rubber. In his letter, dated October 17, 2018, Commissioner Feldman noted, "CPSC must stay abreast of emerging hazards, including hazards potentially posed by chronic exposure to crumb rubber... I support this study's completion as soon as possible."<sup>1</sup> Democratic Commissioner Elliot Kaye also recently listed crumb rubber on playgrounds and athletic fields as one of the top ten persistent safety hazards. In his statement, dated April 4, 2019, he wrote, "Policy makers must provide CPSC with needed additional funding to continue any additional

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<sup>1</sup> See attached.

crumb rubber exposure studies and, ultimately, the risk assessment with respect to playgrounds that contain crumb rubber.”<sup>2</sup>

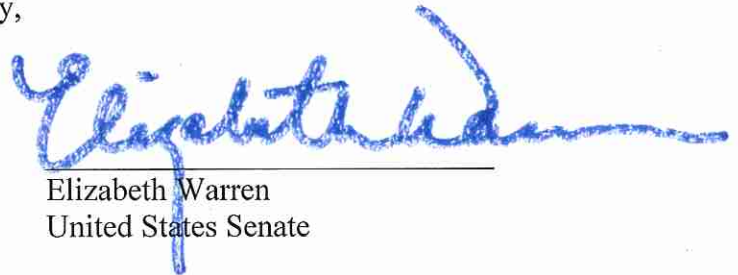
A growing number of synthetic turf fields and playgrounds use crumb rubber or other kinds of recycled scrap tire, but there is still no conclusive information about the short and long-term health risks posed to children and other vulnerable populations from exposure to these materials. Crumb rubber may contain toxic substances ranging from lead, arsenic, and cadmium to mercury and halogenated fire retardants<sup>3</sup>. Additionally, reports have linked certain individuals, such as soccer goalies, who consistently play on and come in direct contact with artificial turf fields, to cancer, among other troubling health consequences. Communities and parents deserve to know whether the chemicals used in these products have synergistic effects and are present in levels that pose a health risk.

The findings of this research are essential to public health and safety as crumb rubber continues to be used and deployed in play surfaces across the country. Consumers deserve to know whether chemicals that may be present in crumb rubber will affect their health or the health of their children over time. We respectfully urge you to make this important research a priority in FY 2020. Please contact Anna Yu ([Anna\\_Yu@Blumenthal.senate.gov](mailto:Anna_Yu@Blumenthal.senate.gov) or 4-0233) in the office of Senator Blumenthal with any questions.

Sincerely,



Richard Blumenthal  
United States Senate



Elizabeth Warren  
United States Senate



Kirsten Gillibrand  
United States Senate

<sup>2</sup> <https://www.cpsc.gov/s3fs-public/Commissioner%20Kaye%20Consumer%20Product%20Safety%20Persistent%20Hazards%20Paper%20%20April%202019%20%28Final%29.pdf?Dgcsfq65qctBf5z2X2VhrRvERv7wlXi5>

<sup>3</sup> [https://www.cpsc.gov/s3fs-public/pdfs/blk\\_pdf\\_FY2017PerformanceBudgetRequest.pdf](https://www.cpsc.gov/s3fs-public/pdfs/blk_pdf_FY2017PerformanceBudgetRequest.pdf)





UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

**COMMISSIONER PETER A. FELDMAN**

October 17, 2018

Ms. Mary Boyle  
Executive Director  
United States Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

Dear Ms. Boyle:

In February 2016, the United States Consumer Product Safety Commission (CPSC), together with the United States Environmental Protection Agency (EPA), and the Centers for Disease Control and Prevention (CDC) announced a multi-agency research effort to improve the understanding of potential health effects of recreational exposures to recycled tires used in playground surfacing ("crumb rubber"). According to the Federal Research Action Plan on Crumb Rubber, CPSC is studying exposures of children to crumb rubber and ultimately intends to initiate a nationwide survey to acquire representative exposure data to inform future research on associated hazards.<sup>1</sup>

CPSC must stay abreast of emerging hazards, including hazards potentially posed by chronic exposure to crumb rubber. At the same time, the agency's regulatory activity, with respect to crumb rubber and in other areas, must be underpinned by good data and sound science. That is why I believe this multi-agency research effort is important. That is also why I support this study's completion as soon as possible.

Accordingly, I would like to request a briefing from your staff on the status of this research at your earliest convenience.

Sincerely,

A handwritten signature in blue ink that reads "Peter A. Feldman".

Peter A. Feldman

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<sup>1</sup> U.S. CONSUMER PROD. SAFETY COMM'N, FEDERAL RESEARCH ACTION PLAN: CRUMB RUBBER, *available at* <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Crumb-Rubber-Safety-Information-Center> (last accessed Oct. 17, 2018).