

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3395

To require the preparation of risk assessments in connection with Federal health and safety or environmental regulations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 1993

Mr. TAUZIN (for himself, Mr. CONDIT, Mr. STENHOLM, Mr. LAUGHLIN, and Mr. HAYES) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the preparation of risk assessments in connection with Federal health and safety or environmental regulations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RISK ASSESSMENTS.**

4 (a) PUBLICATION REQUIRED.—In promulgating any  
5 final regulation relating to public health and safety or the  
6 environment after the date of enactment of this Act, the  
7 Administrator of the Environmental Protection Agency  
8 shall publish each of the following in the Federal Register:

1           (1) An estimate, performed with as much speci-  
2           ficity as practicable, of the risk of the health and  
3           safety of individual members of the public addressed  
4           by the regulation and its effect on human health or  
5           the environment and the costs associated with imple-  
6           mentation of, and compliance with, the regulation.

7           (2) A comparative analysis of the risk ad-  
8           dressed by the regulation relative to other risks to  
9           which the public is exposed.

10          (3) The Administrator's certification that—

11                (A) the estimate under paragraph (1) and  
12                the analysis under paragraph (2) are based  
13                upon a scientific evaluation of the risk to the  
14                health and safety of individual members of the  
15                public and to human health or the environment  
16                and are supported by the best available sci-  
17                entific data;

18                (B) the regulation will substantially ad-  
19                vance the purpose of protecting the public  
20                health and safety or the environment against  
21                the specified identified risk; and

22                (C) the regulation will produce benefits to  
23                the public health and safety or the environment  
24                that will justify the cost to the Government and

1           the public of implementation of and compliance  
2           with the regulation.

3           (b) REPORT.—In the event that the Administrator  
4 cannot make the certification required under subsection  
5 (a), the Administrator shall report to Congress that such  
6 certification cannot be made and shall include a statement  
7 of the reasons therefor in such report and in the final reg-  
8 ulation.

9           (c) EFFECT OF CERTIFICATION.—The certification  
10 required by this section shall not be construed to amend,  
11 modify, or alter any statute and shall not be subject to  
12 judicial review. Nothing in this section shall be construed  
13 to grant a cause of action to any person.

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