

CHEMICAL HERITAGE FOUNDATION

**THE TOXIC SUBSTANCES CONTROL ACT:  
FROM THE PERSPECTIVE OF  
STEVEN D. JELLINEK**

Transcript of Interviews  
Conducted by

Jody A. Roberts and Kavita D. Hardy

at

The Chemical Heritage Foundation  
Philadelphia, Pennsylvania

on

29 January 2010

(With Subsequent Corrections and Additions)

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## STEVEN D. JELLINEK

1940 Born in Brooklyn, New York on 22 May

### Education

1960 B.A., Political Science, University of Rochester  
1961 M.P.A., Syracuse University

### Professional Experience

Internal Revenue Service, Washington, D.C.  
1961-1967 Various staff positions  
1968-1971 Special Assistant to the Assistant Commissioner for Compliance

Council on Environmental Quality, Executive Office of the President,  
Washington, D.C.  
1971-1972 Staff Member  
1972-1973 Senior Staff Member  
1973-1977 Staff Director

U.S. Environmental Protection Agency, Washington, D.C.  
1977-1981 Assistant Administrator for Pesticides and Toxic Substances

Jellinek, Schwartz & Connolly, Inc., Washington, D.C.  
1981-2000 President

Dow AgroSciences, Zionsville, Indiana  
1994-2004 Member, Global Environmental Advisory Committee

OMI Corporation, Stamford, Connecticut  
1996-2000 Member, Board of Directors

The Scotts Miracle-Gro Company, Marysville, Ohio  
2001-present Member, Innovation and Technology Advisory Board

### Honors

1969-1970 National Institute of Public Affairs Fellowship, Stanford University, Palo Alto, California

## ABSTRACT

**Steven D. Jellinek** received a bachelor's degree in political science from the University of Rochester and a master's degree in public affairs from Syracuse University before accepting a position at the Internal Revenue Service. He was at the Internal Revenue Service for several years before being invited to work with the newly established Council on Environmental Quality. Once the Toxic Substances Control Act (TSCA) was passed, he became the first Assistant Administrator for Toxic Substances at the U.S. Environmental Protection Agency, and soon the Assistant Administrator for Pesticides and Toxic Substances. The position was expected to be challenging: TSCA was written with many procedural hurdles and the environmental Congressional committees were not eager to oversee its implementation. The law quickly became an "orphan" in Congress.

Jellinek encountered many challenges in implementing the new law: there was no inventory rule and no classificatory system for chemicals; there were interagency politics that had to be negotiated; there was little statutory guidance for prioritizing exiting chemicals, or even defining a chemical of concern; and there were no technologies of risk assessment or toxicity testing. The Office of General Counsel advised caution in exercising the new law, and industry was quick to challenge EPA rules. Jellinek inherited what was considered an inefficient organizational structure in the Office of Toxic Substances. The premanufacturing review process was one of the few immediate successes; industry seemed to really internalize the goal of safer new chemicals. Maintaining confidential business information proved to be a burden to a more effective chemicals program.

Jellinek believes that it is the responsibility of policymakers to be precautionary. He repeatedly questioned his decision as assistant administrator not to pressure Congress for a more workable law. From his perspective, a reformed TSCA should strive to reduce the hurdles on EPA action, and he also thinks it might be worth considering a premarket rather than a premanufacture review.

## 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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