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**CITIZENS PETITION TO THE ENVIRONMENTAL PROTECTION
AGENCY OF THE UNITED STATES**

William D. Bush,

Petitioner,

re.

MICHAEL S REGAN,
Administrator of the Environmental Protection Agency (the "EPA")
in his official capacity;

William David Bush
Class Advocate Petitioner
Citizenry of USA,
Resident of California.
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California, 95472 U.S.A.
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**PETITION FOR ISSUANCE OF NEW RULES UNDER SECTION
15 U.S.C. § 2605**

INTRODUCTION

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4 1. A cigarette is a scientifically designed drug delivery device that is
5 intentionally engineered to deliver nicotine and toxic chemicals to
6 the brain in seconds. Cigarette smoke contains more than 4,000
7 chemicals. Some of them are potent carcinogens. These chemicals
8 come from a variety of sources; some come from the chemicals
9 within the soil, the paper surrounding the tobacco column, and the
10 manufacturing process; and still others are deliberately added. All
11 in all, these chemicals include both carcinogens and other potent
12 toxicants that, when burned and inhaled, are transported to
13 numerous organ sites in the human body and emitted into the
14 environment.
- 15 2. Cigarette smoking is the single largest preventable cause of
16 premature death in the United States. Each year, millions of people
17 suffer from smoking-related diseases, which often require a long-
18 term course of medical and surgical treatment. Each year more
19 than 400,000 Americans die from cigarette smoking.
- 20 3. Nearly one in every five deaths in the United States is smoking
21 related, and approximately 8,600,000 Americans have chronic
22 illnesses related to cigarette smoking
- 23 4. Each year, as a result of the diseases, illness, or injuries caused by
24 cigarettes, the United States spends more than \$20 billion under a
25 variety of programs to pay for or furnish medical care to smokers.
- 26 5. Cigarette smoking causes lung and other types of cancers,
27 emphysema and other chronic lung diseases, heart attacks,
28 strokes, and a variety of other diseases. Cigarette smoking by
pregnant women is also a leading cause of low birth weight infants.

- 1 6. In the 1940's and early 1950's, scientific researchers published
2 findings that indicated a relationship between cigarette smoking
3 and diseases, including lung cancer.
- 4 7. Federal and State public health officials, the public health
5 community, and the public at large recognize that the cigarette
6 industry should be subject to ongoing oversight and regulation.
- 7 8. Cigarettes do not just negatively impact the health of individuals, it
8 also endangers the health of the environment.
- 9 9. Cigarette butts are the most common form of litter, as an
10 estimated 4.5 trillion cigarette butts are thrown away every year
11 worldwide.
- 12 10. An estimated 766,571 metric tons of cigarette butts make their
13 way into the environment every year.
- 14 11. Cigarette butts comprise 30%-40% of items collected in annual
15 coastal/urban cleanups.
- 16 12. Cigarette butts are the most prominently littered item on U.S.
17 roadways, retail areas, storm drains, loading docks, construction
18 sites and recreational areas.
- 19 13. In 2019, cigarette butts were the most littered item found in U.S.
20 beaches and waterways.
- 21 14. Cigarette filters are made from cellulose acetate, a plastic which
22 only degrades under severe biological circumstances.
- 23 15. Studies show that organic compounds seep from cigarette butts
24 into aquatic ecosystems, becoming acutely toxic to fish and
25 microorganisms.
- 26 16. Using US Environmental Protection Agency standard acute fish
27 bioassays, cigarette butt-derived leachate was analyzed for aquatic
28 toxicity. Survival was the single endpoint and data were analyzed
using Comprehensive Environmental Toxicity Information System
to identify the LC50 of cigarette butt leachate to fish.

- 1 17. Over 4000 chemicals may also be introduced to the environment
2 via cigarette particulate matter;- these include chemicals such as
3 hydrogen cyanide, nitrogen oxides, polycyclic aromatic
4 hydrocarbons, ammonia, acetaldehyde, formaldehyde, benzene,
5 phenol, argon, pyridines and acetone, over 50 of which are known
6 to be carcinogenic to humans; again, studies have shown
7 chemicals in cigarette butt leachate can be acutely toxic to aquatic
8 organisms
- 8 18. In laboratory experimentation, the chemicals that leached from a
9 single cigarette butt (soaked for 24 hours in a liter of water) released
10 enough toxins to kill 50 percent of the saltwater and freshwater fish
11 exposed to it for 96 hours.

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13 Study Data Sources: [https://www.ncbi.nlm.nih.gov/pmc/articles/](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3088407/)
14 PMC3088407/

15 **POLICY BACKGROUND**

16 **CONGRESSIONAL DIRECTION AUTHORITIES TO THE EPA**

- 17
- 18 19.The Congress hereby declares it to be the national policy of the
19 United States that pollution should be prevented or reduced at the
20 source whenever feasible; pollution that cannot be prevented should
21 be recycled in an environmentally safe manner, whenever feasible;
22 pollution that cannot be prevented or recycled should be treated in
23 an environmentally safe manner whenever feasible; and disposal or
24 other release into the environment should be employed only as a
25 last resort and should be conducted in an environmentally safe
26 manner. (42 U.S. Code § 13101(b))
- 27 20. Source reduction is fundamentally different and more desirable
28 than waste management and pollution control. The Environmental

1 25. Cigarette manufactures are aware of their products toxic chemical
2 inclusions and have malice intention against the general health
3 welfare of the United States and the Environment, such which
4 requires aggressive EPA regulation techniques to counter the
5 deceptive tactics of these powerful racketeering organizations.

6 26. On February 28 2001, the United States Department of Justice
7 brought a lawsuit against nine cigarette manufacturers and two
8 tobacco industry trade associations

9 27. Judge Gladys Kessler issued a landmark 1,683-page opinion holding
10 the tobacco companies liable for conspiracy and violations of RICO by
11 fraudulently covering up the health risks associated with cigarettes
12 and for marketing their products to children.

13 28. Kessler wrote that the tobacco companies "have marketed and sold
14 their lethal product with zeal, with deception, with a single-minded
15 focus on their financial success, and without regard for the human
16 tragedy or social costs that success exacted."

17 **Count 2**

18 **Cigarette Disposal presents a clear unreasonable risk to the** 19 **Environment**

20 29. The research studies of toxic waste entering the environment are
21 clear in identifying cigarette butts as a major hazardous waste
22 emission.

23 30. The producers of cigarettes should be required by the EPA to develop
24 material techniques of biodegradation, that counter or reduce the
25 environmental damages of current consumer market disposal
26 methods; which at the present include massive quantities of
27 unreasonable hazardous chemicals being emitted as trash into the
28 environment.

Petition for Issuance

- 1 For these reasons, the Petitioner asks the Administrator to:
- 2 a) Determine in accordance with the Control of Toxic Substances Code
 - 3 that the chemical mixtures contained within cigarettes present an
 - 4 unreasonable risk of injury to health and the environment.
 - 5 b) Order by Rule that the manufacturing producers of cigarettes eliminate
 - 6 the hazardous chemicals used in a mixture with tobacco; including
 - 7 and not limited to the toxic substance inclusions resulting from
 - 8 tobacco growing or handling techniques.
 - 9 c) Order by Rule that Cigarette manufacturers develop new product
 - 10 designs which eliminate or reduce the cigarette 'butt' disposal risks to
 - 11 the environment.
 - 12 d) And any other prudent methods of toxic mixture substance control
 - 13 you may see due and fit.

13 Dated: July, 27, 2021

14 Respectfully submitted,

15

16 By: _____

17 William David Bush

18 Advocate Petitioner.

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