

Carl Lam

August 16, 2011

Responses to Washington State Department of Ecology Draft Scope for Alternatives Assessment Guidance

1. What are your three main observations with the continuum process proposed by Ecology?
 - Overall, this continuum process looks promising, but at this point has a significantly large scope. I am actually having difficulty envisioning how the continuum of requirements will work. From a manufacturer perspective, small companies with little resources will likely need greater support to start conducting alternatives assessments. Larger companies (like Dow or P&G) will probably have a very tailored and evolved materials selection and procurement system already in place to evaluate environmental and toxicity attributes of substances. This guidance may be of less use for them. The regulatory side is totally different because it would be in the enforcing of what constitutes an “alternatives assessment”. This “multi-purpose” approach will likely be very challenging. The current idea of the guidance document has potential, but it would be not good if it is a “jack of all-trades” document and end up being “master of none” (given the time constraints).
 - Some stakeholders will likely have problems with the hazard assessment approach versus a risk-based approach. However, I fully agree that a hazard approach first is most effective in fundamentally reducing toxicity and other impact potential.
 - One clarification of LCA tools is needed. I see the discussion on the alternatives assessment as principally toxicity-focused. LCA has wider application than this and can extend to other categories (e.g., resource depletion, energy use, etc). Are these other categories considered? If they are, this will also significantly increase the complexity of the guidance document. I would suggest keeping the focus on environmental and human health toxicity concerns.
2. Has Ecology omitted any technical concerns as important components of the guidance continuum?

In general, I would like to see recommendations with perhaps a “step-by-step” process to conduct alternatives assessments within the continuum. Particularly from an industry perspective, this area is actually not well defined at all.

Is the toxicity information needed for alternative assessments being hosted through IC2? I think the duplication of effort in alternatives assessments for the same materials within industry is a concern. I am not sure if IC2 will facilitate this sharing data for alternatives assessments.

3. What are some of the positives this process might bring?

I believe the key positive is that the idea of alternatives assessment for different stakeholders such as manufacturers and regulators can be unified with the same vocabulary in one document. The second is that the practical side of guiding alternatives assessments can be finally met.

4. Do you have any other concerns with the proposed process?

Other than the large scope and the limited timeframe for which the guidance document will be completed, I do think this is a promising project.

5. Do you agree that the continuum approach is the best way to approach the various needs of an alternative assessment?

I think how I would do it is to first identify the stakeholders of the alternatives assessment process concretely (manufacturers, customers, states and federal environmental agencies). Then, with each stakeholder identified, create a section for which information will be most useful for them to fulfill their roles in terms of material selection decision-making (manufacturers) or enforcement of lack of compliance for those not conducting appropriate alternatives assessments (regulators).

6. Given the aggressive timeline, which of the components listed above are most important to be tackled first?

- Environmental and human health hazard data
- Exposure concerns
- Life cycle concerns
- Commercial constraints (economics, technical feasibility)
- Practical implementation of alternatives assessments (not listed)

7. The stakeholder group will have the opportunity to provide additional input once the draft guidance framework has been formed, midpoint and before the guidance is finalized. Do you have any additional input to provide before the states begin discussing the guidance document?

Not yet, but looking forward to more information as the scope becomes more solidified. I think envisioning the end use of this guidance document/information is critical to have a great result. I would suggest developing what would be success criteria for this project to know what we are aiming for.