



Representing Household & Institutional Products

Aerosol - Air Care - Cleaners - Polishes
Automotive Care - Antimicrobial - Pest Management

September 13, 2011

Via email: linda.glasier@ecy.wa.gov

Linda Glasier, Stakeholder Coordinator
State of Washington
Department of Ecology
PO Box 47600
Olympia, WA 98504

Dear Ms. Glasier:

The Consumer Specialty Products Association appreciates the opportunity to provide initial input to the Washington Department of Ecology on the initial scoping of the alternatives assessment guidance. CSPA previously provided comments to the Department on the Children's Safe Product Act regulation.

The Consumer Specialty Products Association (CSPA) is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$80 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. CSPA member companies employ hundreds of thousands of people globally. Products CSPA represents include disinfectants that kill germs in homes, hospitals and restaurants; candles, and fragrances and air fresheners that eliminate odors; pest management products for home, garden and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day. Through its product stewardship program, Product Care®, and scientific and business-to-business endeavors, CSPA provides its members a platform to effectively address issues regarding the health, safety and sustainability of their products. For more information, please visit www.cspa.org.

We provide the following input on the stakeholder scoping questions.

1. What are your three main observations with the continuum process proposed by Ecology?
 - The consumer products industry makes products to meet consumers' needs that are safe, affordable, and accessible. Alternative assessments are fundamental to manufacturers' research and design processes and design. Product R&D is solutions-oriented, and focuses on choices and opportunities, stimulating innovation. Informed

decision making is inherent in any product formulation/re-formulation, and necessary to avoid unintended consequences. The product optimization process is iterative, complex, and case-by-case.

- The most pragmatic approach to alternatives assessments (AAs) is a “cafeteria-style menu of options” in which manufacturers are afforded the necessary flexibility to decide the most appropriate steps in seeking alternatives, whether it is through the conventional product development paradigm, or through leveraging existing AA frameworks, or through a combination of both in which various components of each can be brought to bear.
 - CSPA supports the federal modernization of the Toxic Substances Control Act of 1976 (TSCA). CSPA thinks chemical management legislation on a state-by-state basis would contribute to a patchwork of regulation and reduce the effectiveness of comprehensive chemical management and U.S. leadership in chemical innovation.
2. Has Ecology omitted any technical concerns as important components of the guidance continuum?
 - Confidential business information must be acknowledged and protected in any proposed alternatives assessment process.
 3. What are some of the positives this process might bring?
 - CSPA appreciates the stakeholder outreach and will continue to participate in the process.
 4. Do you have any concerns with the proposed process?
 - The scale and breadth of the proposed process is extensive and it is very unclear how this will allow it to be flexible and adaptable to stakeholders.
 - The Association of Washington Businesses (AWB) has requested a meeting with the Department to better understand the intent of the Department’s request – we believe that this meeting is essential in order to evaluate the complex questions posed in the scoping document and to be able to respond appropriately.
 5. Do you agree that the continuum approach is the best way to approach the various needs of an alternative assessment?
 - CSPA encourages the Department of Ecology and the IC2 to review existing international AA frameworks and current industry processes to harmonize any guidance with existing requirements and industry best practices.
 6. Given the aggressive timeline, which of the components listed above are most important to be tackled first?
 - CSPA is concerned the aggressive timeline could lead to ill-considered guidance. As an example, EPA has been working on developing an AA for DfE for several years and California’s Department of Toxic Substances Control has engaged in conversations with

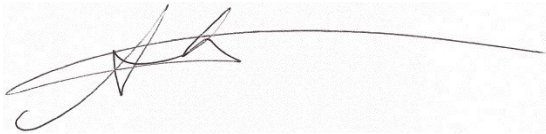
stakeholders over the past several years which have not yet resulted in the promulgation of a final rule.

- Additionally, we are concerned with the implication that some components are “more important” than others in a continuum process in which all parts are considered equally.

7. The stakeholder group will have 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?

- CSPA appreciates the opportunity to provide input in this initial development phase and will continue to engage as this guidance document development moves forward. CSPA members are committed to manufacturing and marketing safe products. The consumer products industry product design and/or reformulation process results is at the core of this dedication to meeting consumers’ needs with products that are protective of human health and the environment while providing essential benefits to consumers.

Sincerely,



Steven Bennett, Ph.D.
Director,
Scientific Affairs



Kristin Power
Director,
State Affairs - West Region

cc: CSPA Scientific Affairs Committee Green Chemistry Task Force
CSPA State Government Affairs Advisory Committee
Bill Stauffacher, Stauffacher Communications