



March 21, 2012

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RE:

Dear Ms. Glasier and Dr. Stone:

The Information Technology Industry Council (ITI) appreciates the opportunity to provide the following information in response to the new information posted on the Washington State Department of Ecology AA website.

ITI is the premier voice, advocate and thought leader for the information and communications technology (ICT) industry. Our member companies have long been leaders in innovation and sustainability: many exceed the requirements on environmental design and energy efficiency, and lead the way in product stewardship efforts. As a result, the Dow Jones Sustainability Index, the Financial Times Sustainability Index, and the Global 100 have consistently recognized numerous ITI members for their concrete environmental and sustainability achievements. As we had mentioned in previous comments, ITI and our members support efforts to strengthen the processes of Alternatives Assessments, however, we are concerned this effort may be duplicative of other projects currently underway, including the California Green Chemistry Initiative, the EPA Design for the Environment Program and several independent projects that are looking to develop processes for alternatives assessment. It is not clear what the end goal of this guidance document will be, and believe it is possible that this project could further contribute to the patchwork of chemicals management bills in the states.

We look forward to continued engagement with the Department to develop this guidance document, but would appreciate more transparency from Ecology as to the specific goals, scope and outcomes of this effort



Comments on new information on AA website

1. Definition of Alternative Assessment

- 1) ITI believes that the definition presented is incomplete. Alternative Assessments (AAs) are a tool that provides useful data when comparing different substances within a product. In complex products, such as electronics, an AA is very useful in providing a data point as to which substances have lesser environmental impacts, but other considerations such as performance, product safety and cost are also important to determining which substance(s) to use in a product.
- 2) ITI prefers a broader definition such as the one on the EPA Design for Environment (DfE) website. This explanation better describes AAs as a “basis for informed decision making” and also discusses characterizing chemicals on their “full range of human health and environmental information.”
http://www.epa.gov/dfe/alternative_assessments.html
- 3) ITI is concerned that the definition as presented assumes an outcome to an assessment. Defining an AA as a process for identifying and comparing potential substitutes assumes that a particular chemical being used is going to be replaced. The AA should compare the existing chemicals to several alternatives, and it is possible that in some instances the AA will determine that the chemical being used is the best option.

2. Initial Evaluation Module

- 1) The example given (the sportswear manufacturer) is not particularly useful at the beginning of the discussion. ITI suggests including point-specific examples within each step of the document, or applying a “case study” where the example is referenced throughout the document. However, a single example is not likely to be applicable to the very broad scope of products that the AA looks to cover. For example, a formulated product such as a cleaner is much different from a complex article such as a toy or shoe. While in the initial parts of the assessment, the differences are not as likely to matter (e.g., “intentionally added” is the same no matter what you are working with), in later parts, these differences in product types are fundamental to how an assessment is performed.
- 2) It is not clear what 1.b means. Clearly, if a product is ready for its next iteration, the product will be re-designed. However, it’s not clear what the difference is between parts i and ii. The Alternative Assessment is part of the design and development of a



new model of a product, and the AA process and the green chemistry principles are not mutually exclusive. It is not clear what purpose separating these out serves.

- 3) The issue of concentration in the product must be expanded upon. If the chemical is only in trace amounts, it is possible that no assessment is necessary, since there is practically no chance of exposure. This does not, however, mean that there is not room for improvement in the design or manufacturing process for trace substances in a product.
- 4) ITI does appreciate the consideration of product functionality when looking at both impurities in certain chemicals and intentionally added chemicals. However, we feel that only looking at basic “functionality” may not be adequate. An assessment must determine if removing or replacing the chemical significantly change the performance attributes of the product. This is a subtle, but important difference from simple functionality. For electronics, factors such as processing speed, weight, energy use and others all factor into “performance.” While another product may have the same function, it may not accomplish the function with the same speed, reliability, or efficiency as an original product.

3. Identification of Alternatives

- 1) Alternatives analyses should include an assessment of the existing alternative as well as any potential choices of substitute. As we said before, it is possible that in some cases, what is being used now is the best option.
- 2) Potential substitutes need to be evaluated against all relevant factors, not just functional equivalence. Factors to be considered include:
 - Health and environmental impact
 - Availability
 - Cost
 - Performance and quality of product
 - Reliability and safety issues
 - Energy efficiency



Conclusion

Again, we appreciate the extra steps the Department is taking to receive feedback on the Alternatives Assessment. In order to get the most value for resources spent, both by the Department and by stakeholders, the guidance needs to allow for flexibility, while ensuring that critical hazard, use and exposure criteria are considered. We look forward to continuing working with WA Ecology as this process evolves. If you have questions or would like further clarification on any of the points made here, please contact Chris Cleet at ccleet@itic.org or 202-626-5759.

Regards,

Christopher Cleet
Director, Environment and Sustainability
Information Technology Industry Council

About ITI

The Information Technology Industry Council (ITI) represents the nation's leading high-tech companies and is recognized as one of the most effective advocacy organizations for the tech industry in Washington and internationally. ITI helps member companies achieve their policy objectives through building relationships with Members of Congress, Administration officials, and foreign governments; organizing industry-wide consensus on policy issues; and working to enact tech-friendly government policies. Learn more at www.itic.org.