



September 12, 2011

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RE: Draft Scope for Alternative Assessment Guidance; ITI comments on Stakeholder Scoping Questions

Dear Ms. Glasier and Dr. Stone:

The Information Technology Industry Council (ITI) appreciates the opportunity to provide the following information in response to the August 10, 2011 letter from the Washington State Department of Ecology.

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. 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



Responses to Stakeholder Scoping Questions

The following are ITI responses to the Stakeholder Scoping Questions.

1. What are your three main observations with the continuum process proposed by Ecology?

- 1) It is good that other components rather than the hazard characteristics of the chemical are being considered. It is not clear what weight these other components will carry, however. For example, when designing medical devices, performance is the critical factor in materials selection. ITI is concerned that “inherently less toxic” will be the main theme and other considerations may be applied as possible, but not integral to the process.
- 2) It’s not clear why different processes would be necessary for small businesses vs bigger businesses. The science will not change for a company simply because it has fewer employees.
- 3) It is not clear how the continuum will be applied at different steps. Generally, guidance may offer different pathways for different levels of complexity and thoroughness, but choosing where to begin a process is not usually user-specific.

2. Has Ecology omitted any technical concerns as important components of the guidance continuum?

Based on the broad explanation in the scoping document, ITI is concerned that use and exposure considerations may be relegated to second-tier concerns when they are still critical factors, even in a hazard-based assessment. However, the Draft Scoping document is not detailed enough to provide robust technical feedback.

3. What are some positives this process might bring?

If this process can develop a clear, robust, scientifically-justifiable approach that states, industry and NGOs can agree upon, that would be a big positive step.

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

The scoping document is not specific enough to make a clear determination of whether other concerns exist. Within the information provided in the scoping document:

- It is not clear who the “recognized experts” are or how they will be chosen
- It is not clear how the hazards will be assessed. There are many, often conflicting, hazard classification schemes available.
- It is not clear what the use of the alternatives assessment guidance will be



- It is not clear whether the guidance will list specific approaches, or how any approach could be updated if new science or assessment processes become available.

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

It is not clear enough from the scoping document to see how the continuum will be applied to specific situations. However, it is important to identify the minimum requirements for all alternatives assessments and then provide guidance on what types of hazards, exposure pathways, and risks might trigger further analysis. This preferred approach does not seem to match a continuum of requirements.

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

ITI believes that the first step should be, as is being done, garner meaningful stakeholder input. After that, it is important to clearly delineate the meaning of several terms in the scoping document, including “recognized expert” and “hazard assessment.” Without understanding of what the core parts of the process are, the remainder of the process is rudderless.

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?

- ITI believes that exposure and probability (i.e., risk) is an important factor in assessing chemicals, and while risk does not need to be the starting point for an AA, it must be considered.
- As mentioned before, we are concerned this effort may be duplicative or contradictory to established federal or international processes.
- It is not clear how the additional components will be incorporated into the guidance, especially across different product classes. The components that are important for one set of products will likely be vastly different for others.
- It is important that the guidance not be overly prescriptive. Overly prescriptive processes are often not useful other than in the specific instances they are designed for.



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
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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.