

## Pesticide and Toxic Chemical News

### *Panel gives California more options to consider for Green Chemistry Initiative*

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By addressing the data, safety and technology gaps associated with chemicals, California will stimulate innovation and investment in green chemistry, according to a new report from the state's Green Chemistry Initiative Science Advisory Panel.

The panel (SAP) has set forth 38 different options for the state to address these gaps. Twenty-one options make up the "supply-side" of green chemistry, such as education and research initiatives, to spur on green chemistry innovation, and 17 fall on the "demand-side," including developing and improving chemical regulations, to encourage demand for green chemistry.

The May 28 panel report adds 38 more options to the more than 800 suggestions submitted by stakeholders during the first phase of the initiative's development (see PTCN, Feb. 4, Page 1). The report is part of the second phase, which also includes public input on the many options suggested, and an analysis of the options by interagency teams, which will hone them down into more focused policies for submission to Gov. Arnold Schwarzenegger (R) and the state legislature in July.

"The overarching concept of the report is that we both need to create a supply of green chemistry and a demand for it," panel member Richard Denison, senior scientist with Environmental Defense Fund, told Pesticide & Toxic Chemical News, adding that the report's intent is to lay out a whole spectrum of options with the idea that no one option will be enough for the Green Chemistry Initiative. "A balanced portfolio is going to be needed," Denison said.

The advisory panel is made up of 21 representatives from industry, academia and non-governmental organizations. "While many of these options enjoy broad support among the panel members, the degree of support for any single option is neither stated nor implied," the report cautions.

While the panel did not aim to reach consensus on the options, according to panel member Mike Wilson, a research scientist with the Program in Green Chemistry and Chemicals Policy at the University of California, Berkeley, the panel — a diverse group of "strongly opinionated" people — ultimately agreed that there are structural and legal problems that need to be addressed to motivate the development and adoption of green chemistry.

"[The report] calls out and affirms the problems with chemicals management in the United States," Wilson told PTCN. "It articulates a national debate on how we as a country motivate investment in safer alternatives."

The panel was formed to guide the Department of Toxic Substances Control — the lead California EPA department on developing the state's Green Chemistry Initiative — on scientific matters. Options range from teaching green chemistry and incentives to boost green chemistry supply and demand to identifying and prioritizing chemicals of concern. Three options proposed by SAP members focus on chemical regulation as a means to address chemical data and safety gaps. According to Denison, such data would allow people to differentiate between a toxic chemical and a safer alternative, thus creating demand for green chemistry.

Option 26 would require chemical companies in the state to provide CalEPA with specific information about chemicals, including persistence, bioaccumulation, toxicity, uses and likely exposures. This option would also give CalEPA broad authority to request additional information and take action against those who don't comply.

Option 27 is similar to Option 26. "But in contrast, this option does not force chemical manufacturers or importers to generate new data, only to provide CalEPA with relevant information that they have already reported to other authorities," according to the report.

Option 28 would require manufacturers and importers in California to disclose the chemical ingredients in their products, although the exact composition, such as the percentages of ingredients would not be required.

Options to address the green chemistry technology gap include providing incentives — either through award recognition or financial assistance — to encourage chemical companies to adopt green chemistry practices. Wilson noted that EPA has already done some of that, giving the Presidential Green Chemistry Challenge Awards as an example.

#### Industry reaction

According to Sarah Brozena, senior director of regulatory and technical affairs at the American Chemistry Council (ACC), a lot of the options in the report are consistent with ideas that ACC supports, including: green chemistry programs and incentives; providing more information on chemical hazards, risks and exposures; and leveraging existing data. "There's a lot of information out there already and a lot being developed," she said, giving the Canadian Domestic Substances List, Europe's REACH regulation and EPA's new Chemical Assessment and Management Program as examples.

John Ulrich, executive director of the Chemical Industry Council of California, lauded the report, noting that it is from "a prestigious group of experts" and will "move the ball considerably forward" in terms of the Green Chemistry Initiative. But Ulrich also expressed some disappointment that the report doesn't address a timeline. There is no what comes first, what comes second, he told PTCN. He emphasized the need for a

structure to be in place to move forward with the initiative, including establishing goals, and metrics as well as setting a timeline to measure progress.

UC Berkeley's Wilson noted that the report did not address a timeline, but in his opinion chemical data gaps need to be addressed first. Many companies have complained that they don't have health and safety information on the substances in their supply chains, he added. And in many cases, the chemical manufacturers don't have that information, he said.

Ulrich declined to discuss specific options in detail, saying that focusing on one option or another "takes away from the contribution of the whole report." However, he noted, "embedded in each one of the options are a whole host of additional conversations that need to take place." For example, Ulrich said that while the regulatory options may be more difficult for some, they may seem easy for other stakeholders. And while he may agree with the recommendations about green chemistry education, educators may not be receptive to having their programs changed.

Panel member Bill Carroll, a vice president at Occidental Chemical Corporation, did not respond to a request for comment.

A copy of the panel's report can be accessed at [www.dtsc.ca.gov](http://www.dtsc.ca.gov) by clicking on the "Green Chemistry" tab.

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