

PROPOSED POLICY  
ON THE  
VOLUNTARY DEVELOPMENT  
OF HEALTH, SAFETY AND ENVIRONMENTAL INFORMATION  
FOR CHEMICALS

BACKGROUND

EPA has launched an initiative to develop screening information on selected high production/high release chemicals on the Toxic Release Inventory (TRI). The Organization for Economic Cooperation and Development (OECD) screening information data set (SIDS) has been selected for the TRI screening effort. EPA has identified high production/high release TRI chemicals as those with production volume over one million pounds and reported releases over one million pounds or over 10% of production. The categories of metals, inorganic acids and bases, and cyanides have been excluded.

For high production/high release TRI chemicals, EPA has proposed that industry voluntarily: 1) prepare SIDS dossiers that summarize available data and identify SIDS data gaps; and 2) conduct testing to fill identified SIDS data gaps. In addition, EPA has suggested that the TRI SIDS effort might be incorporated into the OECD High Production Volume (HPV) Existing Chemical Testing Program. EPA has requested a formal response to these proposals from CMA, American Petroleum Institute, Synthetic Organic Chemical Manufacturers Association, the Society for the Plastics Industry, the Chlorine Institute, Acrylonitrile Group, National Agricultural Chemicals Association, Styrene-Butadiene Latex Manufacturers Council, and the Fertilizer Institute. CMA has briefed each of these sister trade associations regarding the general approach being developed at CMA.

This request from EPA is the most recent example of government requests for voluntary development of health, safety and environmental data for specific chemicals. Other requests include the EPA sponsored Carpet Policy Dialogue, the ATSDR research program for SARA Section 110 chemicals, and the OECD HPV Existing Chemical Testing Program. Active voluntary participation by CMA and its member companies in the OECD Program has significantly and positively influenced the direction of both the OECD Program and the domestic testing program.

It is anticipated that requests from regulatory agencies and others for voluntary development of health, safety and environmental information will increase. This is spurred, in part, by the general perception that most chemicals in commerce have not been adequately tested and that current regulatory mechanisms to require testing are too cumbersome. Amendments to the Toxic Substances Control Act could significantly change regulatory requirements for chemical testing. These changes could include mandated lists of chemicals for base set testing or increased testing of new chemicals.

Through the Guiding Principles of Responsible Care®, CMA member companies are committed "to extend knowledge by conducting or

supporting research on the health, safety and environmental effects of our products, process and waste materials." Management Practices 4 and 5 of the Product Stewardship Code also commit the chemical industry to the production and maintenance of health, safety and environmental information on its chemicals in order to properly characterize product risks.

In addition, CMA's policy on risk assessment, risk management, and risk communications (adopted by the Board in April 1991) supports "the development and collection of health effects and exposure data needed to improve the accuracy and relevance of risk assessments." CMA's policy on the OECD HPV Existing Chemicals Testing Program (adopted by the Board in September 1989) supports "the concept of international cooperative testing to ensure adequate assessment of health risks for existing chemicals."

CMA has advocated regulatory agency acceptance of health, safety and environmental information developed outside the framework of regulatory mechanisms. CMA CHEMSTAR panels, which include both CMA member and non-member companies, and individual companies have conducted substantial voluntary testing in anticipation of regulatory requirements or for product stewardship reasons.

#### SUPPORTING MATERIAL

The following supporting materials are attached:

- o Attachment I: General Principles for Evaluating Requests for Voluntary Development of Health, Safety and Environmental Information
- o Attachment II: Outline of Proposed Response to EPA Regarding Options for Developing SIDS Dossiers on Selected TRI Chemicals
- o Attachment III: Rationale for CMA Policy and Proposed Response to EPA Regarding TRI Chemicals
- o Attachment IV: CMA Role in Responding to Requests for Voluntary Development of Health, Safety and Environmental Information
- o Attachment V: EPA RM1 Summary -- Screening Level Testing of TRI Chemicals

The following proposed policy was developed to provide guidance to CMA and its member companies in responding to requests for voluntary development and submission of health, safety and environmental information. Information development encompasses the collection and management of information that may be used for chemical risk characterization. Information for use in risk characterization can include, for example, physical/chemical characteristics, production processes, use patterns, transportation patterns, toxicity, ecotoxicity, or exposure potential.

PROPOSED POLICY

CMA supports voluntary approaches to developing health, safety and environmental information for risk characterization of chemicals when:

- 1) All parties mutually agree that the information is currently needed for making risk management decisions.
- 2) Development of information is consistent with the following step-wise process:
  - a) All scientifically valid, existing information will be accepted to fill information needs;
  - b) Decisions regarding the need for developing additional data through testing will proceed step-wise, beginning with screening level studies; and
  - c) Decisions regarding the need for testing beyond the screening level will be based on the results of the screening studies, level of exposure, and the need for additional data to make risk management decisions.
- 3) CMA and its member companies participate in evaluation of the information for risk characterization and use of the information for risk management decision making.
- 4) The voluntary information development effort will promote international harmonization of health, safety and environmental protection programs and preserve competitiveness.

CMA supports participation in voluntary efforts to develop health, safety and environmental information as one means of establishing national priorities for managing risks to human health and the environment.

ACTION REQUESTED

Approval of proposed policy on voluntary development of health, safety and environmental information for risk characterization of chemicals (as further defined by the general principles for evaluating requests for voluntary development of health, safety and environmental information - Attachment I) and a budget increase to cover the addition of a manager, Health Programs, at an estimated annual cost of \$50,000 (which includes salary, benefits, travel, etc.) in order to implement the proposed policy.

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