

**NATIONAL CONVERSATION ON PUBLIC HEALTH AND CHEMICAL EXPOSURES
POLICIES AND PRACTICES WORK GROUP**

**Meeting Summary
November 13, 2009**

Meeting Objectives:

- Get to know each other
- Reach shared understanding of the National Conversation road map and the Work Group's role
- Refine Work Group charge
- Determine Work Group framework
- Decide on next steps and assignments

Upcoming Call	When & Where	Suggested Agenda Items
Work group conference call	To be scheduled via doodle	<ul style="list-style-type: none"> ○ Work group charge ○ Work group framework ○ Report back from Leadership Council meeting

I. Action Items

National Conversation Process	Who	Completed by
1. Work group members who wish to comment on the proposed Operating Procedures can do so by contacting Ben Gerhardstein (fty9@cdc.gov)	Members	12/7/09
2. Bring comments on Operating Procedures to the Leadership Council's attention	Ben Gerhardstein and Gail Bingham	12/11/09

Work Group Charge, Framework & Next Steps	Who	Completed by
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3. Present work group with revised charge	Leadership team	12/11/09
4. Present work group with straw proposal clarifying the “layers of prevention” framework and offering suggestions for next steps	Leadership team	One week in advance of next work group call
5. Consider additions to the work group membership from industry and labor and present options to work group	Leadership team	Next work group call

Work Group Member presentations	Who	Completed by
6. Distribute group member presentation slides to full work group	Abby Dilley	12/11/09

II. Agreements Reached

Proposed Work Group Framework

The group agreed to use a “layers of prevention” framework to guide its work.

- Primary prevention – Spurring safe and healthy alternatives
- Secondary prevention – Managing and using chemicals to minimize health risks
- Tertiary prevention – Protecting the health of at-risk and contaminated communities

For each layer, the following questions would be answered:

- What is the baseline or current situation?
- What should policy approaches look like if they are to strengthen this prevention layer?
- What is the role of federal environmental health agencies in promoting these policies?
- What resources are necessary for government and private entities to get there?

III. Meeting Summary

Welcome, Introductions, Overview of Meeting Goals, Objectives, and Agenda

Dick Jackson, the work group chair, welcomed the group and members introduced themselves to one another (a Policies and Practices Work Group roster with contact information has been distributed to work group members).

Abby Dilley, the work group facilitator, reviewed and finalized the meeting agenda and ground rules for the meeting. Ground rules are established and used to encourage constructive problem-solving and dialogue among all work group members. The ground rules adopted by the work group include:

- Full participation by all work group members
 - Staying in one conversation in the room.
 - Keeping comments concise.
- Productive engagement and discussions
 - Dialogue includes listening and talking.
 - Being respectful to one another and disagreeing without being disagreeable.
 - Focusing on solving problems of mutual interest.
- Honoring the agenda
 - Being on time and prepare for discussions.
 - Staying on topic and on task.

If anyone not attending the meeting would like to comment or add to the ground rules, please contact Abby (adilley@resolv.org).

National Conversation Process Update and Work Group Milestones

Ben Gerhardstein, NCEH/ATSDR staff, provided an overview of recent and upcoming National Conversation happenings. The National Conversation Leadership Council will meet for the first time December 11, 2009 in Washington, DC. The community conversation toolkit and web-based discussion platform will be launched in early 2010. An online work space will be launched in December to assist work group members in sharing documents and discussing ideas. Ben reviewed the draft "National Conversation Milestones" document that had been distributed to all work group members. The milestones document sets timeframes for work group meetings and deliverables. Ben emphasized the following work group milestones:

- April – June 2010: Work groups to hold second in person meetings
- June 2010: Work groups to issue draft reports
- July – September 2010: Work groups to hold third in person meetings
- September 2010: Work groups to issue final reports to Leadership Council

Ben noted that a draft National Conversation “Operating Procedures” had been distributed to all work group and Leadership Council members. This draft document outlines the decision making processes for, and ground rules for participation in, the National Conversation. Ben encouraged work group members to contact him (fty9@cdc.gov) with questions or comments on that document. The Leadership Council will be reviewing, revising, and adopting (as amended) the Operating Procedures at their December 11th meeting.

Several work group member expressed dissatisfaction with the description of the decision making process and end-product in the draft Operating Procedures. In the event that consensus is not reached, some members stated a preference for clearly written statements reflecting majority and minority opinions over a “menu of options.” Some members support a majority vote decision-making process, with minority opinion, if consensus could not be achieved on the recommendations. Members also expressed concern that the Operating Procedures do not specify implementation plans for government agencies and other potential actors. Work group members also questioned whether the group can make statements earlier in the process than is currently anticipated in the milestones document. Ben is collecting comments and will work with Gail Bingham (who is convening/facilitating the Leadership Council) to bring them to the Leadership Council for consideration.

Discussion of Work Group Charge, Report, Audience, and Scope

Group members discussed the audience for and scope of their final report. There was general agreement that while NCEH/ATSDR is one audience for the report, the group should consider policies and practices related to other institutions and sectors (e.g. state and local government and industry groups). One member suggested that the charge be revised to include a focus on ATSDR’s work. A member counseled the group to make recommendations that are specific and actionable. Another member suggested that it include sidebars that highlight instances where recommendations have been successfully implemented

Getting the Discussion Going: Work Group Member Presentations

Four work group members gave short presentations to catalyze discussion, highlight potential priority topics, and frameworks for the group to use in carrying out its work.

Anne Rabe, Community Concerned about NL Industries, and Center for Health, Environment and Justice

Anne stressed the importance of looking closely at the Agency for Toxic Substances and Disease Registry’s (ATSDR’s) mission and track record. She noted the need to look

specifically at how ATSDR performs health investigations and suggested that a National Conversation subcommittee be formed with membership from each of the six work groups to address this issue. Anne suggested that federal environmental health policies should shift to a precautionary approach. Further, she suggested organizations (e.g. ATSDR) and policies [e.g. the Toxic Substances Control Act (TSCA) and Superfund laws] that would benefit from reform. Anne's presentation slides and handout will be made available to the group.

Sarah Brozena, American Chemistry Council (ACC)

Sarah suggested that the group focus its attention on the policies and practices of the Centers for Disease Control and Prevention. She noted that ACC is actively engaged in discussions about TSCA reform in other forums and that she would like to focus on non-regulatory public health policies and practices with this group. She noted that the work group would benefit from the perspective of the business community and that ACC is committed to improving public health through programs like Responsible Care. She presented areas of CDC's work that the group might address, including: interpretation and communication of biomonitoring results, and improved surveillance of chronic disease outcomes to help determine causality. Sarah's presentation slides will be made available to the group.

Nick Ashford, MIT

Nick focused on the need to move U.S. chemical policy from one driven by risk to one driven by technology based solutions. He stressed that a paradigm shift is necessary to move the nation toward preventing harmful exposures from occurring and he suggested that technology based solutions could be promoted through regulatory or voluntary initiatives. Nick detailed how innovative technologies can help control exposures more effectively and at a lower cost than current efforts that are focused on controlling risk. He suggested that the group promote industrial policies focused on generating environmentally sustainable and inherently safer alternatives for meeting market needs. Nick highlighted the success of Massachusetts' Toxics Use Reduction Act (TURA) – suggesting that asking industry to assess alternatives (but not mandating that they implement changes) often prompts action. He cautioned the group from investing time in regulatory reform.

Tim Malloy, UCLA

Tim suggested that the group consider recommendations regarding government policies and private sector practices. He sees the work group's role focused on answering three questions: (1) where are we now (looking in the rearview mirror), (2) where ought we be going (emerging approaches), and (3) what resources do we need to get there (in both the public and private sectors). He advised against a focus on TSCA

reform as doing so could make the work group report obsolete (should legislation move faster than the group's work). He noted that while CDC policies should be included in the group's analysis, the group should not look at CDC in a vacuum. Tim recommended that the group consider these questions at a high level, while also thinking about the realities of implementation. He suggested that the group should focus on moving the nation from a risk assessment and management approach to one based on hazard assessment and risk prevention. Finally, Tim advised the group to take on the issue of spurring safer alternatives and to consider barrier to implementation. Tim's presentation slides will be made available to the group.

Discussion of Priority Issues - According to Proposed framework

Primary prevention – Spurring safe and healthy alternatives

The group discussed current barriers to implementing pre-production prevention-based approaches and opportunities overcoming these barriers. These included:

- Shortcomings in current laws (e.g. the Pollution Prevention Act of 1990, TSCA)
- Prioritizing risk prevention in the statutes that guide government agency work
- Facility planning and management-based regulation (e.g. requiring facilities to consider inherently safer technologies)
- Operationalizing the precautionary principle
- Outdated/outmoded government and business practices that present barriers to technological innovation
- Education and incentives for business groups that encourage a paradigm shift
- Safer alternatives – analysis and adoption. Members explored ways in which industry is currently hampered in looking for substitutes. Members suggested that data sharing and lists of potential substitutes could be helpful. One member suggested that companies should ask "Do we need it?" Another member suggested that implementing safer alternative approaches from the top-down is difficult
- Lack of research on the health implications of green chemistry
- Need to bring green chemists and toxicologists together

Secondary Prevention - Managing and using chemicals to minimize health risks

The group discussed current barriers to implementing prevention-based approaches that would improve the management and use of chemicals, as well as opportunities for overcoming these barriers. These included:

- TSCA reform and other regulatory approaches: group members suggested that the current system is broken and that looking at chemical risks on a chemical at a time basis would not work. Members suggested that the group should be familiar

with the Obama Administration's principles for TSCA reform, as well as other groups' principles, and consider both pre- and post-market regulation

- Minimum safety requirements for chemical use
- Diffusion of technologies
- Considering the perspective of various groups within industry (i.e. chemical manufacturers vs. end users of chemicals). A member explained that there are different levels of understanding between the chemical manufacturers and businesses that use chemicals. Users do not always have access to the basic toxicological data. When they do, they don't always understand how to assess that data. This makes the process of picking safer alternatives difficult and unclear.
- Right to know issues
 - Scientific: providing the public with information on chemicals in products and where they are being manufactured, used, and imported/exported – and balancing this with the industry's concern over proprietary information. One member suggested that Massachusetts TURA program shows that CBI issues can be handled effectively
 - Technical: providing the public with information on whether alternatives are being considered
- The role of CDC in this area (e.g. biomonitoring and interpretation of biomonitoring results)
- Massachusetts' approach highlights the effectiveness of balancing mandatory and voluntary approaches
- Global harmonization is important to allow companies to comply with policies globally

Tertiary Prevention – Addressing health risks of contaminated communities

The group discussed high priority issues to consider for improving the way the nation protects communities who face chemical exposure risks.

- Reexamine ATSDR's role and approach to health assessments
 - Some group members shared their varied experiences working with ATSDR – some found ATSDR helpful, others did not
 - Traditional epidemiological and toxicological methods are inadequate to the job - consideration of biomonitoring methods, synergistic effects, and non-traditional health endpoints is important
 - Community health promotion should be approached comprehensively – not through a keyhole
 - How should ATSDR decide what to take on? Right now it does just about everything it is asked to do

- How can ATSDR empower communities? Use of community based participatory approaches. Including community members in decision making.
- ATSDR's mandate: (1) Should it be limited to waste sites? What about other exposure routes? (2) What is the appropriate responsibility/division of labor between federal and state?
- Reexamine the design and implementation practices of ATSDR's health assessments and health studies.
- A member suggested that the group think about actors generically – ATSDR is one of several groups that works at the community level on these issues
- Providing communities with access to data, transparent decision-making, resources and access to independent health experts
- Built environment issues – zoning decisions
- Use of innovative models – EPA's [Community Action for a Renewed Environment](#) (CARE) program and the National Center for Environmental Health (NCEH) / National Association of County and City Health Officials (NACCHO) [Protocol for Assessing Community Excellence in Environmental Health](#) (PACE-EH)

Discussion of cross cutting priority themes

Several cross-cutting themes emerged from the group discussion that might apply to all three of the above layers.

- *Cross agency collaboration and coordination*, including: (1) existing silos and barriers to collaboration, (2) conflicting standards between agencies, and (3) suggested models for encouraging greater collaboration (e.g. the interagency regulatory group that existed under the Carter administration).
- *Federal and state roles*. A member suggested that federal public health agencies should (1) act as a hub – sharing best practices information in this area to the states, (2) be more active in determining “public health bottom lines” when it comes to chemical exposures, and (3) providing funding to state public health and environmental agencies to encourage collaboration
- *Resources*: a group member expressed a desire to ensure that resources are identified to implement any recommendations put forward by the group
- *Inequities*: A group member reminded that group that equity might mean applying policies in different ways for various populations (e.g. conducting a health study in a culturally appropriate manner)

Additions to group

Several group members expressed a desire to add to the group a representative from a retailer and/or downstream user of chemicals, in addition to representation already on

the work group. Group members also voiced support for adding a representative of a labor group. The leadership team will consider this suggestion and offer a recommendation to the group.

Next steps

The group discussed how best to move forward to accomplish its tasks on the proposed timetable. Several suggestions were offered, but the group did not formalize an approach. Several members suggested breaking up into subgroups (each with a subgroup chair) to look at each of the prevention layers. Others members suggested that all group members should be welcome to participate in calls about each of the layers. Another suggestion was to address the layers temporally (e.g. primary followed by secondary). Members asked that the leadership team ensure that there is adequate time between calls to complete tasks. Members suggested that a collaborative online workspace would be very helpful and asked that one be provided quickly. The group's leadership team will develop and submit to the group a straw proposal for moving forward.

IV. Participation

Members Present:

- Brenda Afzal, University of Maryland School of Nursing
- Laura Anderko, Georgetown University
- Beth Anderson, NIEHS
- Nicholas Ashford, MIT
- Cal Baier- Anderson, Environmental Defense Fund
- Patricia Beattie, Arcalis Scientific
- Lynn Bergeson, Bergeson & Campbell, P.C.
- Arlene Blum, Green Science Policy Institute
- Sarah Brozena, American Chemistry Council
- Linda Bruemmer, Minnesota Department of Health
- Pamela Eliason, Toxics Use Reduction Institute
- Doug Farquhar, National Council of State Legislatures
- Kristin Hill, Great Lakes Inter-Tribal Epidemiology Center
- Lin Kaatz Chary, Gary CARE Partnership
- Timothy Malloy, UCLA School of Law
- Annette McCarthy, FDA/Center for Food Safety and Applied Nutrition
- John McLeod, Cuyahoga County Board of Health

- Anne Rabe, Community Concerned About NL Industries, Center for Health, Environment and Justice
- Gail Shibley, Oregon Department of Human Services/Public Health Division
- Brian Symmes, EPA - OPPTS - OPPT/NPCD
- Kristen Welker-Hood, Physicians for Social Responsibility

Others Present

- Chinyere Ekechi, NCEH/ATSDR
- Nneka Leiba, Environmental Working Group
- Maria Hegstad, InsideEPA

Members Not Present

- Ken Cook, Environmental Working Group
- Kerry Dearfield, USDA, Food Safety and Inspection Service
- Catherine Dodd, City and County of San Francisco
- Rick Hackman, Procter & Gamble Inc.
- Robert Harrison, University of California, San Francisco
- Andrew Dennis McBride, City of Milford Health Department
- Kristin Ryan, State of Alaska, Dept of Environmental Conservation

Facilitation & Staff Team Members

Present:

- Abby Dilley, RESOLVE, facilitator
- Richard Jackson, UCLA School of Public Health, chair
- Ben Gerhardstein, NCEH/ATSDR, staff
- Tom Sinks, NCEH/ATSDR, senior liaison
- Jenny Van Skiver, NCEH/ATSDR, staff