

MEMORANDUM

SUBJECT: OSWER Feedback on the PBT Briefing Materials

FROM: Marianne Lamont Horinko
Assistant Administrator

TO: Stephen L. Johnson
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The purpose of this memo is to provide you with some initial feedback on the questions you raised in the PBT Program Briefing Materials. OSW looks forward to discussing these issues in more detail with OPPTS, other AAships, and the Regions at the September 24th M2P2 meeting.

Question 1. Can the current PBT budget stand the growing pressure to do more on mercury, dioxin and other PBTs?

In your discussion paper, you mention that external pressures are growing for the federal government to support more actions targeting PBTs. While that may be the case, I believe it is incumbent on all of us to find innovative ways to support existing and new projects related to PBTs. As an example, OSWER just announced its Resource Conservation Challenge in an effort to promote greater pollution prevention and waste minimization in the waste area. A key part of this effort is the National Waste Minimization Partnership Program, in which we will be challenging industry to reduce the generation of one or more of 30 priority chemicals, many of which are considered PBTs. Our goal is to reduce the generation of these priority chemicals by 50 percent of 1991 rates by the year 2005, or almost 76 million pounds. We will be undertaking this effort through voluntary partnerships with individual companies, organizations, states and tribes to identify source reduction and recycling opportunities that enhance environmental results and improve efficiency. We are beginning this program as a pilot and have five Charter Members who have pledged to reduce millions of tons of these priority chemicals; we hope to recruit many additional partners over the next three years in an effort to meet our goal.

In addition, OSWER would support looking for additional opportunities to leverage resources both within EPA and with other federal agencies. The current work on National Action Plans and the annual evaluation of PBT Regional Projects both present excellent opportunities to look

into leveraging opportunities within EPA. Existing Memoranda of Understanding present good opportunities for working with other federal agencies. As an example, OSWER has used an existing MOU with the Department of Energy to work collaboratively and leverage funds on researching treatment technologies for mercury-bearing hazardous waste.

We also must be sure that the projects identified as potential new additions to our program will provide a level of benefit that justifies placing them among our priorities for this year. The multimedia focus of our initiative offers us an opportunity to look at the relative benefit of projects to the global environment and to consider the appropriate balance of research on measuring environmental effects of these pollutants versus projects that mitigate impacts.

OSW looks forward to discussing this question in more detail at the September 24th meeting and the December budget meeting.

Question 2. Are all offices investing their fair share and is the PBT work being sponsored truly work the office would not otherwise do?

In OSWER, we are investing more than our fair share in PBT work, and significantly more than is reflected by the PBT budget. In addition to the projects listed in the PBT FY'02 Final Budget table, we are working on a myriad of other projects related to PBTs, many of which are familiar to you. I already described our National Waste Minimization Partnership Program. I would like to highlight two other projects. We are working with state environmental agencies, lamp manufacturers, and recyclers on a fluorescent lamp recycling outreach program to create a better recycling infrastructure for these mercury-containing devices. In addition, we are examining the use of the revamped "gasification" technology which, by reducing the volume of materials combusted, could serve to reduce the generation of PAHs.

Question 3: Are we giving offices full credit for all PBT work currently underway?

This is an area that I believe the Agency can improve. Under the current approach, where dollars are separated into "PBT" dollars and "base" dollars, we have found that many of our PBT projects are not recognized. As an alternative, we think the best way to proceed is to conduct a full accounting of all PBT projects and program work, without regard to what projects are funded by "PBT" dollars or "base" dollars. This approach would be more straightforward, present a more complete picture of Agency PBT activities, and have the added benefit of highlighting activities that other offices otherwise may have missed.

Question 4. How do we handle the pressure to move beyond the first 12 PBTs?

In your discussion paper, you mention that other substances with significant P, B, and T properties are being generated, and ask the question of whether we should move beyond the first 12 PBTs.

My initial reaction is to focus on completing the outstanding action plans, including making sure we are making the best use of our resources (staff and money) on the projects outlined in those plans. This might require that we conduct a quick review of the projects not yet completed to see if these projects still appear to have the same value based on what we know now versus when the plans were developed.

Concurrent with this, and as necessary, we should encourage voluntary action to reduce the manufacture and use of other substances with significant P, B, and T properties. Note that this approach would not go as far as to actually add these additional PBTs to the list of 12, but rather would recognize that other PBTs exist and would begin to develop projects in these areas, where appropriate. As I mentioned above, our National Waste Minimization Partnership Program would be an integral part of this voluntary effort.

This approach would maintain the general strategy we established for the PBT program several years ago. As you may remember, this strategy was driven by our office's need to work on more than just the original 12 PBTs (of which only a couple were significant in the RCRA context). We all recognized that expanding the list of PBTs would lead to expanded public expectations that would be difficult to satisfy given the funding needs for the original 12 PBTs. This compromise approach has worked well and we think it should continue as we work on finalizing the outstanding action plans.

Please feel free to have your staff contact Josh Lewis of my staff if they want to discuss any of these questions before the September 24th meeting.

cc: Sam Sasnett, OPPTS