

**Appendix D: FY 2016-2017 EXTERNAL COMMENTS AND RESPONSE TO COMMENTS
OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION**

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>E-Enterprise:</p> <ul style="list-style-type: none"> • Add reference to the E-Enterprise for the Environment joint governance initiative between states and EPA. • Add language regarding how E-Enterprise concepts are being incorporated into each NPM's work. • Provide examples in its final Guidance of specific E-Enterprise aligned work it is undertaking and examples of projects that states may similarly be undertaking. This may include efforts such as shared services development or implementation, LEAN and streamlining initiatives, e-permitting, EEnterprise scoping team participation, development of E-Enterprise architecture and identity management, portal development, and other activities. 	ECOS	General	<p><i>[Note to Program Office: Enterprise office in OCFO is developing language for the Overview and for the individual NPM Guidances which should help respond to ECOS' other comments. Bullets listed to the LEFT column should be addressed in OCSPG Guidance]</i></p>	
<i>Issue Area: National Area of Focus of School Integrated Pest Management (IPM)</i>				
<p>EPA should consider adding a national program area of focus for the office of pesticide programs for promoting IPM in public and Indian housing. Although other programs such as the school IPM area of focus attempt to focus pest control and pesticide use in areas where children are present, it only reaches older school-age children. Most health care experts recognize that the youngest children (birth through toddler age) are the most susceptible age group to</p>	Aroostook Band of Micmacs / Tribal Pesticide Program Council	Page 7		

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<p>pesticides and pest allergens. In addition, other environmental factors in public and Indian housing that are conducive to supporting pests such as excess moisture and improper waste disposal promote other environmental health hazards such as mold and other disease threats. Therefore, focusing on IPM in public and Indian housing will not only protect the most susceptible children from pesticide and pests hazards, but it will minimize the threat from other environmental hazards. Finally, by focusing on IPM in public and Indian housing, EPA will be able to leverage the support and resources of other agencies such as HUD, Indian Health Service, and the regional IPM centers who can assist with the delivery of IPM services and training to these facilities.</p>				
<p>School IPM: EPA should consider including Head Start facilities in the definition of school IPM. The Head Start Program is a program of the United States Department of Health and Human Services that provides comprehensive early childhood education, health, nutrition, and parent involvement services to low-income children and their families. Head Start serves over 1 million children and their families each year in urban and rural areas in all 50 states, the District of Columbia, Puerto Rico and the U.S. territories. Services include pre-school education health screenings, health check-ups and dental check-ups. Across the nation, in 2004 there were 1, 604 grantees (http://www2.acf.dhhs.gov/programs/hsb/research/2005.htm, 2005). They held 20,050 centers and 48,260 classrooms (http://www2.acf.dhhs.gov/programs/hsb/research/2005.htm, 2005).</p> <p>EPA should consider including head start facilities in</p>	<p>Aroostook Band of Micmacs / Tribal Pesticide Program Council</p>	<p>Page 10</p>		

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<p>the definition of school IPM because young children (such as the 3-5 year-olds served by head start) are more susceptible than older children (especially high school age children who are 14-18 years-old) to pesticides and pest allergens. EPA has stated that it has not included head start facilities because the number of facilities is too numerous, however according to head start statistics, there are only approximately 20,000 facilities served by 1,600 grantees, which is a much more reasonable number of facilities than the number of public schools in the nation. If EPA wants to target its limited resources, perhaps it should focus on head start through grade 8 (junior high), rather than K-12 to enable focusing resources on those children who are at greatest risk from pesticides and pest allergens.</p>				
<p>School IPM Focus Area – regional offices should work with state mandated school IPM programs - where they exist - to ensure integrated approach to working with schools(in Oregon, Oregon State University’s Integrated Plant Protection Center has statutory responsibility for implementing this program)</p>	Oregon DEQ	p. 10		
<i>Issue Area: National Area of Focus of Chemical Risk Review and Reduction</i>				
<p>California DTSC supports the National Area of Focus of Chemical Risk Review and Reduction and strongly supports the role of Regional Offices coordinating with both EPA HQ and States on chemical assessment, data collection, risk management, outreach on ChemView and other activities spelled out</p>	California Department of Toxic Substances Control Safer Consumer Products Program	p. 18	<i>Thank you for the comment.</i>	<i>N/A</i>
<i>Issue Area:</i>				

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Issue Area: National Area of Focus of Pollution Prevention				
California DTSC generally supports the National Emphasis Areas (NEAs) of Climate Change, Food Manufacturing and State or Community Level Haz Materials Source Reduction	California Department of Toxic Substances Control Safer Consumer Products Program	p. 20-22	<i>Thank you for the comment.</i>	<i>N/A</i>
National Emphasis Area: Food Manufacturing. Focus on a specific industry does not necessarily take into account other risk factors and evaluative methods for targeting assistance to achieve the greatest reductions in pollution where need is greatest, such as outreach that would support National Emphasis Area: State or Community Level Hazardous Materials Source Reduction. Limiting the scope of National Emphasis Area two may inhibit integration of all Emphasis Areas.	Idaho Department of Environmental Quality	p. 21	<i>Two of the NEAs are broad in scope and the Agency wanted one to be more specific. There are great opportunities for water and energy reductions in the Food Manufacturing NEA.</i>	<i>None.</i>
<p>The role of State/Tribal programs (P2, Air, Water, Toxics...) is lost in this NPM Guidance. It seems to be inserted as an afterthought. Incorporate references to the diverse types of State/Tribal programs in bullets and examples. See specific language below:</p> <p>Issue: California recommends strengthening the third National Emphasis Area (NEA) titled State or Community Level Haz Materials Source Reduction to include more explicit State-level, State-wide and Tribal programs that support P2 and safer products. Virtually all the bullets/examples reference only community efforts. Working one community at a time may not be as efficient as bringing communities together. Some hazardous waste reduction can be more efficiently accomplished at a Tribal or State level or with States/Tribes and communities working together. Since the P2 Grant (PPG) program funds State and</p>	California Department of Toxic Substances Control Safer Consumer Products Program	p. 22	<i>Made changes to existing examples where appropriate to include states.</i>	<i>“State” is added to existing examples where appropriate.</i>

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<p>Tribal entities, it is important for EPA to articulate in this document the critical State/Tribal role working to advance P2 with businesses and communities.</p> <p>Suggested Changes: Specifically, revise language under the bullet to read:</p> <ul style="list-style-type: none"> • State or Community Level Hazardous Materials Source Reduction: Implement State or community level hazardous materials • Add State level examples to the bullets such as: <ul style="list-style-type: none"> ○ Implementing State, Tribal and community green chemistry and safer products programs. ○ Advancing toxics and hazardous materials reduction and disclosure programs in States, Tribes and communities ○ Advance State, Tribal and community-level training and education for green chemistry, toxics reduction and alternatives assessment • Revise the existing bullets on p. 22 to include: Creating state and community partnerships (businesses, municipalities, schools, etc) to identify and reduce. 				
<p>The role of State/Tribal programs (P2, Air, Water, Toxics...) is lost in this NPM Guidance. It seems to be inserted as an afterthought. Incorporate references to the diverse types of State/Tribal programs in bullets and examples. See specific language below:</p> <p>Issue: P. 22 under the bullet “State or Community Level...” points to the FY2015 Annual Action Plan for “Working to Make A Visible Difference in Communities,” but States/Tribes are not even mentioned.</p> <p>Suggested Change: Delete this reference or caveat the reference. Each Region as of December 2014</p>	<p>California Department of Toxic Substances Control Safer Consumer Products Program</p>	<p>p. 22</p>	<p><i>“Working to Make a Visible Difference in Communities” is listed as an example.</i></p>	<p><i>None.</i></p>

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supposedly identified 3-5 communities but these are not referenced or cited.				
<p>Future National Emphasis Areas: California DTSC supports the concept of Green Chemistry, Engineering and Safer Products as a critical national emphasis area and encourages EPA to include this area under the proposed 2016-2017 priorities. This is a current priority area for many States including California, Oregon, Washington, Vermont, Maine, Minnesota, Massachusetts and other States, as well as industry, retailers and the public.</p>	California Department of Toxic Substances Control Safer Consumer Products Program	p. 23	<i>The green chemistry work undertaken by the states falls under the state or community level hazardous materials source reduction NEA.</i>	None
<p>Future National Emphasis Areas: California DTSC supports the concept of Green Chemistry, Engineering and Safer Products as a critical national emphasis area and encourages EPA to include this area under the proposed 2016-2017 priorities. This is a current priority area for many States including California, Oregon, Washington, Vermont, Maine, Minnesota, Massachusetts and other States, as well as industry, retailers and the public.</p> <p>Issue: It is not clear the rationale for identifying Technical Assistance for Green Sports focus as a future priority. While we encourage identifying specific sectors for a green chemistry and sustainability focus, there should be a clear justification for identifying potential sectors of focus.</p>	California Department of Toxic Substances Control Safer Consumer Products Program	p. 23	<p><i>The green chemistry work undertaken by the states falls under the state or community level hazardous materials source reduction NEA.</i></p> <p><i>Appreciate the comment will consider as we develop future NEAs.</i></p>	None
<p>Pollution Prevention Focus Area – suggested additions to the bullet point entitled “Green Chemistry, Engineering and Safer Products”:</p> <ul style="list-style-type: none"> - Partner with states and tribes on government procurement initiatives focused on low toxicity products to reduce toxic chemical footprint of public agencies and to stimulate demand for such products. 	Oregon Department of Environmental Quality	p. 23	<i>Appreciate the comment will consider as we develop future NEAs.</i>	None.

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<ul style="list-style-type: none"> - Support on-going state and regional Green Chemistry research, outreach and technical assistance initiatives 				
<p>RE: <i>“The EPA at a national and regional level will work to continuously improve the calculating and reporting of P2 results.”</i> The P2 Act is about information. EPA ought to think in terms of information that influences change. Can EPA point to a peer-reviewed information model it uses? Is EPA having discussions about what information model is appropriate? The “Information Deficit Model” has limited research support. The “Physical-Technical-Economic Model” offers a limited role. EPA ought to identify the science-based information-to-behavior-change model(s) that are appropriate to the P2 Act. NPM guidance needs to articulate the role of information in fostering change and manage accordingly.</p> <p>Some project managers think the goal is to get “really big numbers” rather than impactful change. A gallon of water conserved in sun-parched deserts that import drinking water has more impact than a gallon of water conserved in the areas around Lake Michigan. Measurements need to provide context and meaning, an understanding that prevention has an important sustainability outcome worth paying for rather than an exercise in efficiency.</p> <p>P2 is more than simple efficiency – it also includes process redesign. Had our college simply chosen to purchase more efficient EPEAT replacement technology rather than rethink the IT system and move to virtual servers, we would currently be losing ~\$100,000 savings annually – a process change more impactful than tightening up efficiency.</p> <p>EPA ought to closely review what actions these</p>	<p>University of Nebraska at Omaha</p>	<p>p. 23; ACS code 263</p>	<p><i>Appreciate the comment. The EPA agrees that information is important and that measurement needs context and meaning. In its RFP, EPA is requiring grant applicants to provide a plan for itemizing any and all facility-level results along with the corresponding facility implementation activities (or state why this presents a burden or confidentiality concern). See the reference to this requirement on page 23, under section C. Measures (second sentence).</i></p> <p><i>EPA’s P2 Program needs a defined link between its performance targets/ results and its own activities and budget resources. Years ago, the P2 Program began with a broad absolute measurement (tied to TRI reporting), This was identified as a strategic planning deficiency in 2006 because TRI results could not be directly linked to the activities and resources of the P2 Program. The P2 Program corrected this deficiency by adopting the current measures.</i></p> <p><i>Given that the EPA P2 Program has a duty to link the calculation and reporting of its results to its own activities, the program is not able to use</i></p>	

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<p>measures support and if they are in alignment with the notion that P2 is the cornerstone of sustainability. It might be helpful to review the Millennium Ecosystem Assessment or other resource quantification indices and develop absolute measurement goals rather than dwell on relative improvements.</p>			<p><i>the broad resource-quantification indices or models for the purposes suggested.</i></p>	
<p>RE: “...costs reduced through pollution prevention.” AND “ACS measure 263 is a commitment measure that counts the amount of money a facility saved from P2 actions it took to get water reductions, hazardous material reductions and MTCO2e reductions...”</p> <p>“Reduced costs” provides a misleading measure of P2 success. EPA should eliminate it or provide guidance for its use in order to better tell the story that P2 is the cornerstone of sustainability.</p> <p>Examples of incorrect cost information use follow. They include both non-strategic uses and the unintended consequences of return on investment (ROI).</p> <ul style="list-style-type: none"> - Overemphasis on the “P2 has positive ROI” theme leads audiences to expect that efficiency always pays (untrue) or that only efficiency measures which do pay are worth adopting (not true). An ROI focus fails to address other contributions to the value proposition or to decision making: branding, license to operate, peer modeling/benchmarking, risk management, etc... - Efficiency costs change dramatically. As low hanging fruit is harvested, costs of efficiency improvements increase as movement is towards realizing theoretical efficiencies. The change from 10 % to 20% material efficiency costs less than change from 95% to 99% for the same process – but as data are collected now it is not possible to see when costs are 	<p>University of Nebraska at Omaha</p>	<p>p. 24; ACS code 263</p>	<p><i>Cost savings is a valuable P2 measure. The P2 Act findings address the cost-effectiveness of P2 approaches. Implementation of P2 approaches often results in cost savings, but not always. In fact, the P2 Cost Savings Calculator [available at http://www.epa.gov/p2/pubs/resources/measurement.html] has features to offset costs against savings for the cases where P2 implementation represents a business cost and not a business savings. Grantees only need to report to the P2 measures for which they have results. It is important to collect data that demonstrate P2 approaches are less expensive than control technologies.</i></p> <p><i>Going forward, EPA will consider providing guidance of a general nature for the P2 cost savings measure. The scope of industries that adopt P2 is too broad for the Program to issue specific guidance for individual industries.</i></p>	

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<p>gathered along this continuum of opportunity.</p> <ul style="list-style-type: none"> - False or assumed nature of money flow in an organization. It is assumed that savings from increasing efficiency will result in less material use. Research shows that it is also likely that savings will be used in increased throughput, ergo constant absolute waste generation, but lower relative waste generation. Example: the same or more waste going into the atmosphere from the facility, but less waste per unit of production. Are NPMs checking the cost calculation methodology to determine that absolute savings are actually realized? If only per-unit savings are made, and absolute environmental impact is the same, is this a suitable metric for the EPA? <p>Potential model for guidance: EPA created a guidance document for calculating the cost of one set of P2 policy options in the electric power industry – Understanding Cost-Effectiveness of Energy Efficiency Programs (PDF) (96 pp., 1M). This paper discusses the five standard cost tests used to assess the cost-effectiveness of energy efficiency, how states are using these tests, and how the tests can be used to determine the cost-effectiveness of energy efficiency measures. It also discusses when it is appropriate to use each test as a decision making tool. Why isn't there a similar document for P2 costs generally? Not having such guidance gives rise to wide variance of cost information development and use.</p>				
<i>Issue Area: Region-Specific Pesticide Priority: Support Of Water Quality Risk Assessment And Mitigation</i>				
<p>Region-Specific Pesticide Priority: Support of Water Quality Risk Assessment and Mitigation (“B. Regional Office Activities”)- suggest adding:</p> <ul style="list-style-type: none"> - Work with states to develop consistent data interpretation and characterization processes, and facilitate state input on OPP’s water quality 	Oregon Department of Environmental Quality	p. 27		

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benchmarks - Support state efforts to advance new and innovative drift minimization technologies and IPM approaches				
<i>Issue Area: Region-Specific Pesticide Priority: Spray Drift Outreach and Incident Date</i>				
DPR Currently does not have a statewide tracking system to capture information being requested by EPA as outlined in Section B. DPR would need to develop a tracking system or database to track and gather the information. In California, the local county agricultural commissioner has two years to take an enforcement action regarding a violation.	California Department of Pesticide Regulation	Pg. 28		
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