

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 25 2000

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Jean S. Chun
Senior Toxicologist
PPG Industries, Inc.
4325 Rosanna Drive
Allison Park, PA 15101

Dear Ms. Chun:

I am pleased to inform you that EPA has considered your XL proposal and is accepting the project into the XL development phase. We find your proposal promising and the Agency is prepared to partner with you, the Pennsylvania Department of Environmental Protection (PADEP), and appropriate stakeholders to develop a Final Project Agreement (FPA). The FPA will detail the expectations of EPA, PPG, PADEP, and other project partners. Project XL was created to test innovative environmental management strategies for the 21st century, and through this process to foster eXcellence and Leadership in environmental protection.

EPA is interested in this project for a variety of reasons. Specifically, the project will promote the use of risk screening tools to develop more environmentally-benign chemicals, resulting in:

- Development of environmentally preferable new chemical products by screening for human and environmental risks early in product development, when change is most cost effective;
- Expansion of use of the P2 Framework in the chemical manufacturing industry;
- Transferability to other companies; and
- Innovation in research and development.

In order to obtain the flexibility necessary to achieve the results described above, EPA, PADEP, interested stakeholders, and PPG will need to work together to further address several key elements of the project in the FPA. These elements include:

Superior Environmental Performance -- All XL projects must produce some form of Superior Environmental Performance (SEP). In order to enhance your project's SEP, EPA will work with PPG throughout the FPA development process to clarify SEP commitments.

Stakeholder Involvement – The FPA should contain a Stakeholder Involvement Plan that highlights and explains your commitment and specific plans with regard to stakeholder involvement at both the local and national levels. Stakeholder involvement during the FPA development phase should clearly show that coordination efforts with all interested stakeholders will occur, including local environmental and community groups.

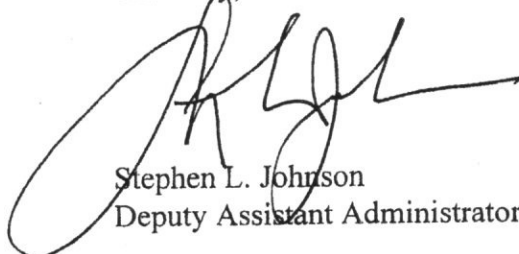
Monitoring, Reporting, and Evaluation – Projects must have clear objectives and requirements that are measurable in order for all involved parties, including the public, to evaluate the success of the project. EPA will work with PPG to develop a tracking system for chemicals evaluated using the P2 Framework in order to capture relevant information regarding the environmental and economic benefits derived from the early use of the Framework.

Regulatory Flexibility – The specific legal mechanism for project implementation will need to be developed during negotiation of the FPA. EPA anticipates the potential use of an exemption available under Toxic Substances and Control Act Section 5 (h)(1) (test market exemption) to achieve the regulatory flexibility sought by PPG. However, a decision with regard to selection of the legal mechanism will require further information from PPG.

I would like to take this opportunity to thank you and your colleagues at PPG for your leadership efforts in working with the Agency as you promote risk screening and pollution prevention among the chemical industry. Your XL proposal is an insightful concept and will make others in the industry aware of the benefits of early chemical risk screening. Pollution prevention is most effective when government and industry work cooperatively to solve problems.

EPA has assembled a staff team to work with PPG, PADEP, and stakeholders on development of the project. That team will be led by Bill Waugh of the Office of Prevention, Pesticides and Toxic Substances (202-260-3489) and Lisa Reiter of the Office of Policy and Reinvention (202-260-9041). Chris Menen of the Office of Environmental Innovation (215-814-2786) will be the Region III contact. Bill Waugh will be contacting you shortly to discuss commencement of FPA development.

Sincerely,



Stephen L. Johnson
Deputy Assistant Administrator