One-on-One Meeting with Alex Dunn, AA OCSPP
Notes for Chad McIntosh, AA OITA
June 7th, 2019

International Priorities

- I understand you are compiling an inventory of OCSPP's international activities so that you can prioritize and allocate staff resources. My staff and I would be very interested in having a conversation with you on this to ensure that our efforts are well-aligned and we're working together to meet Agency commitments.

China

- The U.S.-China Joint Committee on Environmental Cooperation (JCEC) scheduled to take place in Beijing on June 12 has been postponed due to the need for the Administrator to attend a Presidential event that week. The JCEC is a biennial ministerial meeting to report on accomplishments and make commitments for future cooperation.
- Chemicals management is one of the six annexes to our Memorandum of Understanding with China's Ministry of Ecology and Environment (MEE).
- Collaboration between EPA and China under the JCEC has enabled China to be increasingly effective in addressing its pollution challenges and to set and achieve many ambitious environmental improvement goals.
- These programs level the playing field for U.S. businesses, creating economic opportunities through international standardized environmental procedures; increase U.S. environmental technology exports to China; and enhance environmental protection and reduce potential impacts on U.S. citizens.
- The collaboration is formalized a Memorandum of Understanding, which outlines six key areas of cooperation: 1) improving air quality; 2) reducing water pollution; 3) **preventing exposure to chemicals and toxics**; 4) remediating soil, hazardous and solid waste; 5) improving environmental enforcement and compliance; and 6) enhancing environmental laws and institutions.
- Under Annex 3 of the MOU, EPA and MEE have committed to exchange expertise to improve and strengthen mechanisms and tools for

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management of chemicals and toxic substances and implementation of international conventions.

- The 2019 workplan on chemicals management includes:
  1. Mutually learning about the use of computational toxicology in China and the U.S. in chemicals-related decisions;
  2. Discussing approaches for managing chemicals in products and articles; and
  3. Discussing guidance on chemical risk assessment and relevant technical methods in the U.S. and China.
- Integrated mercury management is also a component of Annex 3. Input from OPPT on mercury-containing products would satisfy elements in the chemical management and mercury management objectives of the workplan.

Action: OCSPP engagement is needed to develop and implement activities under the chemicals annex and demonstrate progress on the workplan.

Europe

- The Administrator had a productive meeting with the European Union Director General in Brussels last month. Administrator Wheeler and DG Calleja exchanged a working arrangements cooperation document (attached) and agreed experts would schedule technical information exchanges in key areas such as chemicals, water and marine litter, air quality, animal testing, and resource efficiency/sustainable materials management.
- Specific to OCSPP, agreed to restart a joint Statement of Intent and update dialogues on chemicals. Where practical, the dialogues could be held by teleconference. They also discussed a possible relaunch of a workplan.
- EPA and DG Environment also agreed to review best practices on animal testing and to exchange information on methylene chloride approved uses.
- Regarding pesticides, Administrator Wheeler met with the DG for Health and Food Safety to discuss U.S. and EU pesticide policies, particularly the differences between hazard-based versus risk-based assessment programs; Maximum Residue Limits (MRLs) and import tolerances; and the regulatory

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status of certain pesticides, including clothianidin, glyphosate, and chlorpyrifos.

- EPA raised concerns with the hazard-based criteria used by the EU for pesticide assessments. DG SANTE officials responded that the EU evaluation program is generally risk-based, with the exception of narrowly defined hazard-criteria for certain categories: carcinogenic, mutagenic, and endocrine disruptors (EDs).
- EPA and EU officials discussed the impact of media reporting on consumer confidence, recognized the value in continued dialog and EPA offered to host the next technical bilateral exchange later this year to follow up from the previous collaboration in Brussels in April.

Action:

- Given the Administrator's priority of newly enhanced cooperation with the EU, please confirm Karissa Kovner is the OCSPP lead to coordinate proposed follow-up activities.
- Program office review and input is needed next week on a draft EPA-DG Env list of activities which was developed as an outcome of the Administrator's meeting.

Taiwan

- U.S. EPA and EPA Taiwan have cooperated on chemicals management since 2017. PDAA Beck participated in the 2017 and 2018 International Chemicals Management Conferences in Taiwan to share information on TSCA updates and implementation, and how the U.S. prioritizes chemicals under TSCA.
- In 2018, OCSPP OPP Yu-ting Guilaran and Wynne Miller delivered technical trainings on pesticide management for non-agricultural uses and product labeling at a Pesticides Managment Workshop in Taiwan.
- On March 6th, a delegation from EPA Taiwan's Toxic & Chemical Substances Bureau (TCSB) presented to AA Dunn, PDAA Beck, and DAA Bertrand an update on their progress since 2017 and proposals for two additional activities in 2019.

Action: Request OCSPP response on their availability to EPA Taiwan's proposed chemicals and pesticide trainings in 2019 - 2021. To continue our

cooperation in 2020-2021, EPA Taiwan and OITA are working to draft language to add to our workplan under implementing arrangement-13.

Lead Paint

- OITA is leading a cross-office, EPA team to work on getting lead out of paint in developing countries.
- EPA is the Chair of a global effort called the Global Alliance to Eliminate Lead Paint.
- OITA is working with staff from OCSPP, OECA and OGC. In OCSPP, the lead program has provided staff to this effort and has played a critical role in its success.
- OCSPP played a major role in drafting the lead paint Model Law and guidance
- OCSPP also played a significant role in a recent regional lead paint workshop in Kazakhstan.
- This is the first in a series of four lead paint workshops in each global region under the $3 million GEF project. The workshops are the cornerstone of the project where we identify countries ready to take steps to enact lead paint laws.
- The most recent workshop was in Africa. OCSPP and OITA will participate in the Latin American workshop in Panama on June 12 and 13. OGC will attend the Asia (Bangkok) workshop in July.
- We appreciate the support of your office for this work. We would not be where we are today without OCSPP.
- As we focus on addressing potential lead exposures domestically, are there ways we can include tribes? What role might OITA play in helping to engage tribes with this important Agency priority?

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Mercury

- We would like to reiterate the importance of our long-standing relationship with OCSPP on Minamata Convention negotiation and implementation.
- We particularly value OCSPP's technical assistance and leadership on a range of issues, including:
- Leadership on the products and reporting aspects of the Minamata Convention.
- Leading the Products partnership area of the Global Mercury Partnership.
- Serving as the USG representatives for intersessional expert groups.
- Providing invaluable expertise and support for international negotiations discussions.
- Karissa Kovner's extensive experience in particular has been very helpful to bringing our newer staff up to speed both on the subject matter as well as strategies to further USG goals under Minamata Convention.
- We look forward to providing continued support to OCSPP as it address implementation of the new TSCA regulations, as the Lautenberg Act provides important elements that assist the U.S. in meeting its obligations under the Convention.

Trade

- We are pleased that you are going to fill the OCSPP trade position.
- We have enjoyed a long history of working collaboratively with your office on trade matters.
- We anticipate a busy schedule over the next two years, including talks with the UK, the EU, and Japan. We will also be working with African countries including Kenya and possibly Rwanda.

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------- TRIBAL -------

Building Collaboration/Partnership

- I know that you have a long history of supporting tribal issues, most recently with tribes in Region 1. My staff has also informed me of the various interactions you made possible between ECOS and the National Tribal Caucus, and the work you supported to improve solid waste management in tribal and rural communities.
- I'd like to use the time in these recurring meetings to talk about where our work overlaps, and how we can help each other move the needle forward with both of our offices.

GAP

- OITA is currently working to improve our financial assistance program guidance. Specifically, we are working to streamline and simplify guidance for the Indian Environmental General Assistance Program – or "GAP." Under this program, we provide tribes with ~$64M annually to build their capacity to administer environmental protection programs.
- Later this month, we anticipate requesting input from OCSPP on a draft GAP Guidance to ensure OCSPP program perspectives are covered correctly. I'd like to offer my appreciation in advance for any constructive input your staff can provide to this effort.
- Per the NTOC meetings, AIEO is happy to work with your staff to outline one-pagers on how GAP funds may be used for potential pesticide and lead paint programs. I believe that work will begin this month as well.

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Additional Background: EPA International Chemicals Management Priorities 2019

Country	Activity	Date	
China	EPA-MEE MOU: DVC on computational toxicology in chemicals management (OPPT, ORD)	May	Administrator Deliverable
China	EPA-MEE MOU: DVC mercury management (OITA, OAQPS, OPPT)	May	Administrator Deliverable
Europe	Status of EPA-ECHA Workplan	March - May	Administrator Deliverable
Europe	Ryan Jackson-OCSPP mission to Helsinki	May	Administrator Deliverable
Taiwan	International Chemicals Management Conference	August 6-8	
Taiwan	Pesticides Management Workshop	August 6-8	

Additional information on proposed Taiwan activities:

- **Taiwan 2019 International Chemicals Management Conference (August 6-8)** Building on PDAA Beck's participation in the 2018 International Chemicals Management Conference, EPA Taiwan requests the participation of 1-2 EPA experts to deliver presentations on trends and challenges in international chemicals regulation (travel funded from OITA interagency agreement). Specifically, EPA's perspective regarding the benefits of chemicals management for industry and international chemicals registration and evaluation. Other invitees include international experts from ECHA, KEMI, Tukes, Vinachemia, and 200 Taiwan officials and representatives from industry and NGOS.
- **Taiwan 2019 Pesticides Management Workshop (August 6-8)** Building on OCSPP Yu-ting Guilaran and Wynne Miller's participation at the 2018 workshop, EPA Taiwan requests 2 EPA officials deliver trainings at a 4-day workshop in Taiwan on New Biopesticides Technology/Application and Risks of Pesticides Exposure (travel funded from OITA interagency agreement) for officials from 5 ministries, local level officials, and representatives from industry and NGOs. Taiwan would like to understand the U.S.'s regulations on biopesticides registration and management, new bio pesticides regulatory scope and risk analysis, and U.S. Wolbachia research and transfer to industry. Taiwan would also like to learn about U.S.'s actions to reduce consumer exposure risk to household pesticides, risk analysis methods on exposure rate to vector control, and toxicology tests on substitute methods or new technological developments.

EU Interested in Cooperating on Pesticides

The EPA Administrator and Director-General for Health and Food Safety Anne Bucher discussed U.S. and EU pesticide policies, particularly the differences between hazard-based versus risk-based assessment programs; Maximum Residue Limits (MRLs) and import tolerances; and the regulatory status of certain pesticides, including clothianidin, glyphosate, and chlorpyrifos during a meeting on May 2. EPA raised concerns with the hazard-criteria used by the EU for pesticide assessments. DG SANTE stated that the EU evaluation program is generally risk-based, with the exception of narrowly defined hazard-criteria for certain categories: carcinogenic, mutagenic, and endocrine disruptors (EDs).

Comment: *The hazard criteria outline more than these three categories, so it is broader than DG SANTE expressed.*

When establishing MRLs, DG SANTE uses a risk-based approach and EU member states can apply for import tolerances for banned substances. This process usually takes about two years. (Comment: The USG is unaware of any banned substance going through the full import tolerance request procedure and cannot verify this timing. End Comment). DG SANTE stressed that its risk-based and hazard-based criteria evaluations are both compliant with international trade rules and are science-based. They were keen that no misleading statements about the EU pesticide evaluation program be shared at international fora such as the WTO SPS Committee. (Comment: DG SANTE skirted the points that WTO SPS rules are risk-based and that the United States is one of a dozen countries raising the EU's hazard-based approach at the WTO SPS Committee. End Comment)

Both sides also discussed the impact of media on consumer confidence in pesticides and agreed to work together to ensure consumers know that the foods they consume are safe. DG SANTE asked about the recent U.S. decision on glyphosate and the potential impact on U.S. court cases. EPA stated that it just released an interim review decision for glyphosate, reiterating its determination that it is not carcinogenic, but could not say how this decision would impact appeal cases. EPA offered to host the next technical exchange to follow up from the previous collaboration in April.

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EPA and Commission Agree to More Structured Cooperation; Approve "Working Arrangements" Document

During a meeting on May 3 in Brussels, EPA Administrator Wheeler and Daniel Calleja Crespo, the Director General (DG) at the Directorate General for the Environment (DG ENV) of the European Commission, exchanged a document to memorialize cooperation between DG ENV and the EPA. The DG and the Administrator expressed their interest in engaging in further discussions. Both sides recognized the importance of policy approaches that support global environmental goals as well as promote economic growth. Additionally, they acknowledged the critical role that emerging environmental innovation, stakeholder engagement, and regulation will play to prevent, reduce, and manage emissions of pollutants, and to manage chemicals and waste in a sound manner. They agreed on further meetings and/or video conferences and information exchanges on sustainable materials management/circular economy, marine litter and plastics, clean drinking water, chemicals, and air quality.

Specifically, DG ENV and EPA will:

- Arrange a technical-level meeting on recycling and food waste after a November 2019 U.S. domestic summit on the issue.
- Exchange information on EPA's WIFIA program revolving water fund and methylene chloride approved uses, review best practices on animal testing, and share recently updated draft lead and copper rules. The EU will share data on migration as it relates to access to water.
- Discuss next steps in addressing marine plastics, particularly with respect to pilot projects in Asia.
- Restart a joint Statement of Intent and update dialogues on chemicals, including possible relaunch of a work plan.

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