
Massachusetts Opening Environmental and Safety Dialog with Nanotechnology Companies -- Agencies to Hold First "Safe Development" Workshop November 15

2007-11-06

Massachusetts's key environmental, safety and health agencies are co-hosting a public workshop on November 15 in Marlboro as a first step toward engaging in a state-level environmental health and safety (EHS) dialog with companies developing and commercializing nanotechnology applications in Massachusetts. The immediate aim of the workshop is to synthesize and disseminate what is known about the EHS risks of engineered nanomaterials and the best practices for managing real or perceived risks in commercial and research contexts. More broadly, the sponsoring agencies are seeking the business community's views concerning any regulatory or other measures the Commonwealth's health and environmental agencies should take to create an environment that attracts and retains firms developing, commercializing and using nanotechnologies, while assuring adequate protection of human health and the environment. The workshop is viewed by the sponsors as the first step in a process that has yet to be defined. How the results will be used and the nature of any potential further policymaking have not been determined.

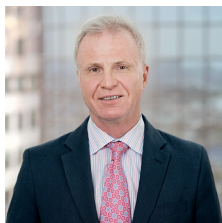
The workshop is being organized by the Office of Technical Assistance and Technology, a non-regulatory division of the Executive Office of Energy and Environmental Affairs, and is co-sponsored by the Department of Environmental Protection (DEP), the Department of Public Health and the Division of Occupational Safety. The workshop project comes as the first public action by the Commonwealth's Interagency Nanotechnology Work Group, made up of representatives of these agencies and led by DEP's Office of Research & Standards. While the project was initiated by mid-level policy managers, the workshop has won high-level endorsement, and both DEP Commissioner Burt and Undersecretary for Environmental Affairs Griffiths will make opening remarks.

The workshop presents an opportunity for businesses and research institutions to provide key Massachusetts EHS policymakers with their views on appropriate roles for Commonwealth agencies in assessing and managing the uncertain risks associated with the manufacture, use, reuse and disposal of nanomaterials. The workshop comes at a time when questions of whether and how to regulate EHS risks associated with nanomaterials are being considered at many

governmental and organizational levels. For example, health officials within the City of Cambridge are considering whether a local ordinance addressing these same issues is warranted, and if so, the appropriate nature of any such local rules. The Cambridge effort follows a Berkeley, CA, ordinance, enacted late last year, which has been widely criticized as a ham-handed effort reflecting little understanding of the industries and processes it purports to regulate. On the national level, the EPA is preparing to launch a voluntary nanomaterials stewardship and reporting program early next year; FDA is reconsidering the application of its existing rules to nanomaterials; an international OECD Working Party is undertaking a program of particular actions to support the development of internationally harmonized nanomaterial management standards; and a variety of trade and standards organizations are developing measurement, terminology and management practice standards. For example, in September ASTM International's Committee on Nanotechnology adopted a Standard Guide for Handling Unbound Engineered Nanoparticles in Occupational Settings (E-2535).

The deadline for workshop registration is Friday, November 9, 2007. A workshop brochure and online registration are available at: http://www.mass.gov/envir/ota/events/ota_events.htm.

Authors



Robert C. Kirsch

SENIOR COUNSEL

✉ rob.kirsch@wilmerhale.com

☎ +1 617 526 6779