

**NATIONAL CONVERSATION ON PUBLIC HEALTH AND CHEMICAL EXPOSURES
LEADERSHIP COUNCIL**

**Meeting Summary
December 11, 2009**

Meeting Objectives:

- Discuss and help shape the elements and milestones of the National Conversation and learn about status to date;
- Discuss and approve the operating procedures for the National Conversation;
- Discuss and approve charges for work groups; and
- Plan next steps.

Upcoming Call	When & Where	Suggested Agenda Items
Leadership Council	Teleconference – January 29, 2010; 1:00-3:00 pm eastern	<ul style="list-style-type: none"> ○ Review and offer guidance on revised project timeline ○ Review and approve Operating Procedures ○ Review and approve Policies & Practices work group charge ○ Other, TBD

I. Action Items

National Conversation Purpose, Process and Progress	Who	Completed by
1. Consider adjusting the project timeline and plans for providing the results of public input to work groups and the Leadership Council to ensure that public input impacts the development of deliverables. Provide LC members with a detailed draft of the detailed National Conversation process map to show integration of process elements.	Gail Bingham & Ben Gerhardstein	Prior to the next LC conference call (January 19, 2010)
2. Research and suggest options for a docket-like mechanism that would accept public comment on the National Conversation process	NCEH/ATSDR National Conversation staff	Prior to the next LC conference call
3. Consider options for monitoring the implementation of action agenda items	Leadership Council members	Future LC conference call

National Conversation Products and Procedures	Who	Completed by
4. Share CDC/ATSDR legal determination regarding the applicability the Federal Advisory Committee Act to the Leadership Council	NCEH/ATSDR Staff	Prior to the next LC conference call
5. Modify Operating Procedures to reflect LC discussion, e.g. to: <ul style="list-style-type: none"> a) indicate that members have been selected to represent the perspectives of their organizations or constituencies, to the extent possible, but that decisions will be made in the members' roles as individuals b) include a provision for minority reports c) include toxins from biological sources, at the discretion of each work group d) strengthen commitment to transparency, including a formal docket. 	Gail Bingham in consultation with interested LC members	Prior to the next LC conference call

Work Group Charges	Who	Completed by
6. Modify each work group charge per the Leadership Council's specific suggestions, e.g. including specifying tribal governments where federal, state, and local governments are mentioned, getting editorial review for readability, etc. See notes in section III,	WG Leadership Teams	January 19, 2010

II. Agreements Reached

- The group approved the Education and Communication, Serving Communities, Scientific Understanding, Monitoring, and Chemical Emergencies work group charges, pending modification and/or consideration of the items outlined in section III.
- The timeline for community conversations is overly ambitious if work groups are to be the primary user of early public input into the process. Milestones should be adjusted accordingly. The Leadership Council may be in a better position than work groups to utilize early public input.

- Members of the public should have access to a docket-like online mechanism for providing public comment on the National Conversation process that will be archived permanently
- Leadership Council members should consult their organizations and constituencies and convey their views to the extent possible and practicable

III. Meeting Summary

Welcome, Introductions, Meeting Objectives and Agenda

Leadership Council Co-chairs, Howie Frumkin, and Nse Witherspoon, welcomed Leadership Council members and meeting observers, participating both in person and by phone, and noted the importance of the issues and the timing for this process. Group members introduced themselves. Gail Bingham stated that the goal of the meeting was to set a strong foundation for the Leadership Council's work, and that a desire to improve public health should permeate the group's work and the entire National Conversation process.

National Conversation Purpose, Process and Progress

Presentation

Ben Gerhardstein, NCEH/ATSDR National Conversation staff, provided an overview of the proposed National Conversation process. He restated the project's vision and goal and described key principles of the National Conversation, including shared ownership and public engagement. He also outlined important project milestones and discussed the four key mechanisms for public engagement in the National Conversation: 1) Six work groups; 2) Community Conversation Toolkit; 3) Web-discussion platform; and 4) Sector-based and public forums. Ben's presentation slides are attached as appendix A.

Discussion

Leadership Council members asked questions, discussed issues, and suggested several changes to the proposed process. Members expressed support for the variety of mechanisms for public input but requested greater clarity about the process timeline and work flow – noting that the draft milestones document did not provide sufficient time for the work groups to make use of the input from community conversations and web-discussions. Several members suggested that, barring a timeline adjustment, the Leadership Council may be in a better position to make use of input from community conversations than the work groups. The group also discussed several challenges presented by the use of a public web-discussion platform, including options for managing off-topic comments and/or disruptive participants and that the role of subject matter experts is reasonable. Members agreed that the project should include a docket-like mechanism where members of the public can make comments on National Conversation process and products, and have their comments preserved. Members noted the importance of dedicated staff, noting also that the collaborative work space is important for tracking activities. One member suggested that all work group members have the ability to view the other work group spaces on the collaborative web site. Finally, several members noted that recommendations aren't action, asking for more thought about the output, including what the action agenda would consist of (questions, recommendations, broad approaches, etc) and the importance of a mechanism to track implementation of action agenda items.

National Conversation Products and Procedures

Presentation

Gail Bingham, Leadership Council facilitator, noted that the National Conversation products are proposed to be: (1) an action agenda that includes concise, clear, implementable actions and (2) work group reports that suggest actions for the Leadership Council to consider for inclusion in the action agenda. The final work group reports would be included as appendixes to the action agenda. Gail then reviewed key elements of the draft National Conversation Operating Procedures document. She noted that the intent of the draft procedures is to support an inclusive, results-oriented process imbued with strong public health values. Gail's presentation highlighted several issues for the Leadership Council to consider including: the project's non-Federal Advisory Committee Act (FACA) status; the definition of "chemical" for the purposes of scoping the project; the relationship of the Leadership Council to work groups; the Leadership Council's and work groups' decision-making process; the identification of potential actors in the action agenda; and members' commitment to participate in meetings. Gail's presentation slides are attached as appendix B.

Discussion

Members asked several questions about the nature of the process (a conversation, an independent policy dialogue, something else) and implications for the proposed non-Federal Advisory Committee Act status. Members agreed that the process will meet, and in several cases exceed, FACA requirements. They also agreed, however, that the element of a permanent record was missing and asked that the process include a mechanism for individuals and groups to submit written comments that would be included in a docket along with other input received. Several members requested that NCEH/ATSDR share with them a written legal opinion that the process will not trigger FACA. Members then discussed the formality with which they should be representing their organizations.

Members suggested that the Operating Procedures be modified to indicate that they were selected to represent the perspectives of their organizations or constituencies, recognizing that their decisions as members of the Leadership Council will be made in the members' roles as individuals and will not officially bind their organizations.

For the purposes of the web-discussion platform, the group noted the importance of including a disclaimer indicating that views expressed are not those of the National Conversation.

The group also discussed decision-making provisions. There was general agreement that the group should produce a clear, forceful action agenda that respects and preserves minority opinions if consensus is not reached, in part because creative ideas often can be drawn from what begins as the views of just a few. Options include writing the action agenda so as to characterize the range of options being suggested and the degree of support for each option or providing dissenters with the option of writing a minority report, in particular for work group reports. Gail Bingham will revise the draft protocols to include the option of minority reports, and will consult interested members as to whether the proposed revisions accomplish the intent.

The group discussed whether biological contaminants should be included within the scope of the project. Project staff noted that one work group (Scientific Understanding) was likely to give serious attention to biological issues. While not typically thought of as "chemical," several members thought biological contaminant issues were appropriate to consider. The decision of whether to address exposures to biologically-produced chemicals will be the purview of each work group.

Public Comment

Three members of the public offered comments to the Leadership Council. Thoughts and suggestions included:

- Being clear in the first 100 words of the action agenda what makes this report different from others
- Taking seriously the issue of public trust in government decision making by revealing vulnerabilities in our current system
- Addressing the link between sub-surface contamination and indoor air quality and including exposure to radon in the project scope
- The significance of these issues to tribes
- Ensuring that Leadership Council members represent the views of their organizations and constituents

Work Group Charges

Each chair (or NCEH/ATSDR staff to the work group) provided a brief update on their group's progress and an overview of the group's final draft charge. All work groups had held at least one conference call and one in-person meeting. All work groups had divided, or will soon divide, into subgroups to accomplish their tasks. The Leadership Council reviewed each charge, asked clarifying questions and in several instances suggested changes.

Summary outcomes:

- The Leadership Council approved each work group's charge (with the exception of Policies and Practices, which will be taken up at the next Leadership Council meeting), asking that the changes noted below be considered.
- The Leadership Council asked that where work group charges referenced federal, state, and local governments, they should also include tribal governments.
- The Leadership Council suggested that NCEH/ATSDR consider options for increasing the readability of the charges before posting them to the website.

Work group specific discussion and guidance:

Education and Communication

Kathy Rest, chair, outlined the group's three main areas of focus: (1) communicating with the public, (2) educating health professionals, and (3) bidirectional communication. The group's final draft charge had been reviewed by the full work group. Leadership Council members suggested two changes to the group's charge, the first of which was viewed as necessary for approval of the charge:

- Add language about improving environmental health educational programs, with a focus on training the next generation of diverse environmental health practitioners
- Consider addressing the education and communication roles that industry plays with respect to public health and chemical exposures

Serving Communities

Kim DeFeo, NCEH/ATSDR staff to the work group, explained that the Serving Communities group had coalesced around four themes outlined in the charge: (1) Community Advocacy, Leadership and Research; (2) Government Operations (Internal and External); (3) Addressing Past and Current, and Preventing Future, Environmental and Chemical Exposures; and (4) Restoring Health and Developing Community Resiliency. Kim also noted that the cross-cutting nature of the group's topic meant that there is some overlap between the issues covered in its

charge and those of other groups. The group's final draft charge had been reviewed by the full work group. The Leadership Council suggested two changes:

- Clarifying charge item three - lines 142-143 in particular
- Including the work "funding" in the body of the charge to highlight the importance of funding community groups to work on these issues

Leadership Council members also noted that while the group's charge is focused largely on governmental actors, they would welcome the work group's thoughts on steps industry could take in this area. In addition, the group discussed the need to consider mechanisms for ensuring the validity of data collected at the community level.

Chemical Emergencies

Andrea Kidd Taylor, chair, reported that the work group's charge had been revised recently based on group member's comments, but that the revised version had yet to be reviewed by the full group. Several members asked questions about the types of events the group considered to be "emergencies." Andrea clarified that the group was interested in any uncontrolled spill or release, regardless of size. A member suggested that industry groups be added as an audience in the second paragraph of the charge.

Scientific Understanding

Kevin Teichman, chair, indicated that the work group charge had been twice revised based on members' comments and that the current version incorporated all members' comments. Leadership Council members discussed several issues related to this work group's charge, including:

- Utilizing recent National Academies work (e.g. Toxicity Testing in the 21st Century);
- Considering exposure science issues and coordinating closely on that issue with the Monitoring group;
- Exploring the strengths and weaknesses of various scientific methodologies (e.g. toxicology, epidemiology, etc); and
- Synergistic and cumulative effects of chemical exposures.

Kevin will add to the work group's charge a reference to exposure science.

Monitoring

John Balbus, chair, explained that the work group had revised and approved the charge for the Leadership Council's consideration. A member asked about the range of "key environments" that might be considered – John indicated that the intent was to be inclusive and provide examples rather than an exhaustive list. Another member suggested that food be added to the list of environmental media.

Policies and Practices

Montrece Ransom, NCEH/ATSDR staff to the work group, provided an overview of the work group's progress to date, noting that neither the chair nor members had yet reviewed the draft charge. Consequently, the Leadership Council provided the following initial comments:

- Consider using more traditional terms and definitions for 'layers of prevention' (e.g., "substitution" for primary, "limiting use" for secondary, and "mitigating consequences" for tertiary).
- Consider using "past, present, and future" rather than 'layers of prevention' language. A member noted that a non-traditional framework like this might help the group develop new ideas better than the traditional layers of prevention framework.

- Be consistent in describing the chemicals under consideration – the charge currently references environmental chemicals, harmful/hazardous environmental chemicals, and harmful chemicals.
- Adding (a) industry and (b) all governmental levels to the third bullet under the “questions to be answered”

IV. Participation

Members Present:

- George Alexeeff, California Environmental Protection Agency
- Henry "Andy" Anderson, Wisconsin Division of Public Health
- Tina Bahadori, American Chemistry Council
- Caroline (Cal) Baier-Anderson, Environmental Defense Fund
- John Balbus, National Institute of Environmental Health Sciences
- Scott Becker, Association of Public Health Laboratories
- Stacy Bohlen, National Indian Health Board
- John S. Bresland, U.S. Chemical Safety and Hazard Investigation Board
- Lisa Conti, Florida Department of Health
- Howard Frumkin, National Center for Environmental Health/Agency for Toxic Substances and Disease Registry, U.S. Centers for Disease Control and Prevention (Co-chair)
- Lois Gibbs, Center for Health, Environment and Justice
- Daniel Goldstein, Monsanto
- Rick Hackman, Procter & Gamble
- Jim Jones, U.S. Environmental Protection Agency
- David Michaels, School of Public Health and Health Services, George Washington University (recently confirmed as Director of OSHA)
- Franklin Mirer, Hunter College, City University of New York
- Robert Peoples, American Chemical Society, Green Chemistry Institute
- Robert (Bobby) Pestronk, National Association of County and City Health Officials
- Susan Polan, American Public Health Association
- Kathleen Rest, Union of Concerned Scientists
- Robert Rickard, DuPont
- Roger Rivera, National Hispanic Environmental Council
- Alan Roberson, American Water Works Association
- Jennifer Sass, Natural Resources Defense Council
- Rosemary Sokas, U.S. Occupational Safety and Health and Administration
- Martha Stanbury, Michigan Department of Community Health
- Andrea Kidd Taylor, School of Community Health and Policy, Morgan State University
- Kevin Teichman, U.S. Environmental Protection Agency
- Nsedu Witherspoon, Children's Environmental Health Network (Co-chair)

Regrets:

- Linda Birnbaum, National Institute of Environmental Health Sciences and National Toxicology Program
- Ken Cook, Environmental Working Group
- Jesse Goodman, U.S. Food and Drug Administration
- Richard Jackson, University of California Los Angeles School of Public Health
- Paul Jarris, Association of State and Territorial Health Officials
- Elise Miller, Collaborative on Health and the Environment
- John Peterson Myers, Environmental Health Sciences
- Peggy Shepard, WE ACT for Environmental Justice
- David Wegman, University of Massachusetts Lowell
- Marilyn Wind, U.S. Consumer Product Safety Commission
- Beverly Wright, Deep South Center for Environmental Justice, Dillard University

Facilitation & Staff Team Members**Present:**

- Gail Bingham, RESOLVE (Facilitator)
- Kim DeFeo, NCEH/ATSDR
- Abby Dilley, RESOLVE
- Julie Fishman, NCEH/ATSDR
- Ben Gerhardstein, NCEH/ATSDR
- Dana Goodson, RESOLVE
- Kathy Grant, RESOLVE
- Montrece Ranson, NCEH/ATSDR
- Jenny Van Skiver, NCEH/ATSDR

Others Present (Observers)*In person*

- Brenda Afzal, University of Maryland
- Lucy Ament, Pesticide and Toxic Chemical News
- Jeffrey Burke, National Pollution Prevention Roundtable
- Ann Claassen, Latham & Watkins LLP

- Paula M. Davis, Association of Occupational and Environmental Clinics
- Helen Dawson, US EPA
- Glen Doss, ICF Macro
- Manuel Gomez, US Chemical Safety Board
- Arnold Kuzmack
- Jennifer Li, National Association of County and City Health Officials
- Gino Marinucci, Association of State and Territorial Health Officials
- Karen Joy Miller, Huntington Breast Cancer Action Coalition
- Henry Schuver, US EPA
- Scott Slaughter, Center for Regulatory Effectiveness
- Ken Smith, National Association of County and City Health Officials
- Audrey Solimon, National Indian Health Board
- Brian Turnbaugh, OMB Watch
- Mary Vihstodt

By phone

- Janet Armbruster, Law Firm of Alston & Bird
- Susan Baker, Social and Scientific Systems
- Roger Bernier, CDC
- Sonya Ciletti, LANXESS
- Ann Claassen, Latham & Watkins
- John Coleman, Ohio Department of Health
- Monica Dove, Port of Los Angeles
- Phil Elliott, Concerned Citizens
- Katie Frevert, University of Washington
- Chris Gandin-Le, Macro International
- Patrick Greissing, Alston & Bird
- Peter Hanes, DC Reading
- Jill Lipoti, NJ Dept of Environmental Protection
- Georgeann Morekas, Dynamic
- Dagny Olivares, CDC
- Laurie Peterson-Wright, Colorado Department of Public Health
- Tom Pierce, Department of Veteran Affairs
- Pauline Risser-Clemens, Pennsylvania Department of Health

- Darrell Rodgers, CDC-NCEH/ATSDR
- Jean Synodinos, ICF Macro
- Lori Verbrugge, State of Alaska Health Department
- Leon Vincent, Health Promotion Consultants
- Katherine Walker, Safeminds
- Richard Wang, CDC
- Kimberly Wise, American Petroleum Institute



**National Conversation on
Public Health and Chemical Exposures**

Purpose, Process, and Progress

Leadership Council Meeting

December 11, 2009

Ben Gerhardstein, MPH

National Center for Environmental Health and
Agency for Toxic Substances and Disease Registry
U.S. Centers for Disease Control and Prevention



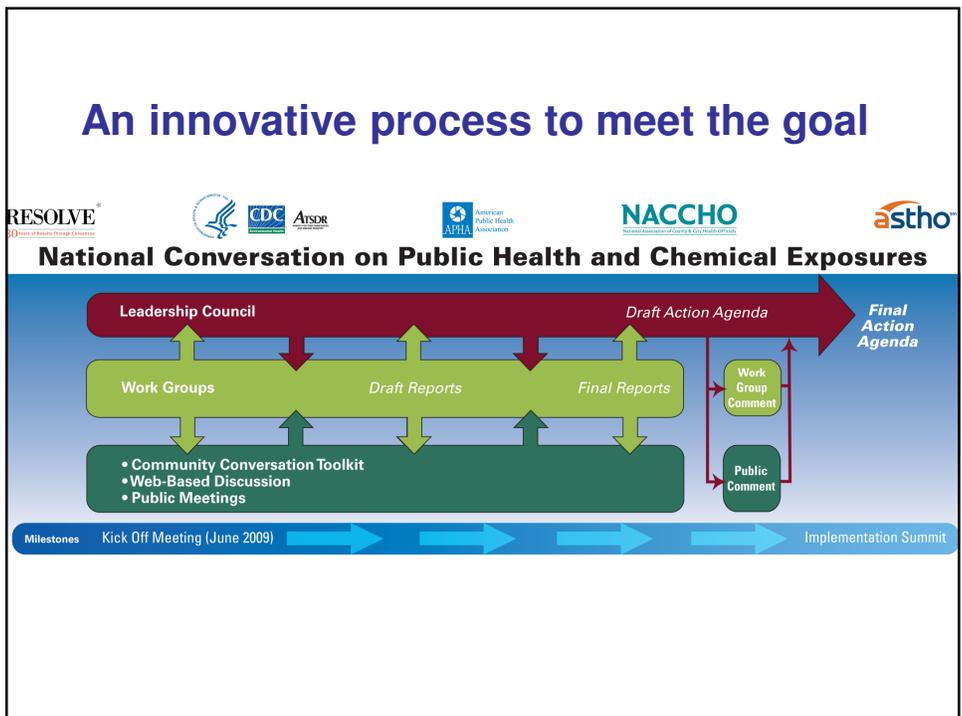
National Conversation Vision

**Chemicals are used and managed
in ways that are safe and healthy
for all people**



National Conversation Goal

Develop an action agenda for strengthening the nation's approach to protecting the public from harmful chemical exposures





Shared Ownership

- Leadership Council
- Collaborating Organizations
- Participants



Public Engagement

- Goals are twofold
- Multi-method strategy builds on best practices in the field
 - Work groups
 - Community conversation toolkit
 - Web-based discussion platform
 - Sector-based/public meetings



Work Groups

- **Monitoring**
- **Scientific Understanding**
- **Policies and Practices**
- **Chemical Emergencies**
- **Serving Communities**
- **Education and Communication**



Work Groups cont.

- **Nomination and selection**
- **Staffed**
- **Meetings every 4-6 weeks**
- **Progress: charges, work plans**
- **Reports**





Community Conversation Toolkit

- **Locally convened, small groups**
- **Materials**
- **Types: Single & Clusters**
- **Using results and reporting back**



Community Conversation Toolkit Cont.

- **Timeline**
- **Recruiting and training**
- **Micro-grants**

Potential Targets

Type	Reasonable?	Exceptional?
Single small groups	30 groups (~300 ppl)	50 groups (~500 ppl)
Clusters of small groups	10 clusters (~500 ppl)	25 clusters (~1,500 ppl)



Outreach

- Collaborating orgs
- LC & WG members
- Social media



Online collaboration space

The screenshot shows a web interface for an online collaboration space. The top navigation bar includes "Monitoring", "MY ACCOUNT", "MY GROUPS", and "NEED HELP?". Below the navigation bar are icons for "All activity", "My media", "Files", "Dashboard", and "Task Manager". A search bar is located on the right. The main content area displays "Recent activity" with a list of posts from "Wednesday, Dec 9" and "Wednesday, Nov 25". A "Calendar" widget on the right shows the month of December 2009. Callouts in yellow boxes point to various features: "Group" points to the "Monitoring" header, "Task Manager" points to the "Task Manager" icon, "Forum" points to the "All activity" icon, "Document Management" points to the "Files" icon, and "Calendar" points to the "Calendar" widget.



Progress and Milestones

Timeframe	Activity
June – Sept 2009	<ul style="list-style-type: none"> • Kick Off Meeting (June 26) • WG members selected
Oct – Dec 2009	<ul style="list-style-type: none"> • WGs began meetings • First listening session • First Leadership Council meeting • Web-collaboration space launched
Jan – March 2010	<ul style="list-style-type: none"> • Community Conversation Toolkit launched • Web-discussion platform launched
April – June 2010	<ul style="list-style-type: none"> • WG issue draft reports (due June 2010)



Progress and Milestones cont.

Timeframe	Activity
July – Sept 2010	<ul style="list-style-type: none"> • Leadership Council holds second in person meeting • WG receive comments on draft reports • WG issue final reports to Leadership Council
Oct – Dec 2010	<ul style="list-style-type: none"> • Leadership Council holds third in person meeting and develops draft action agenda
Jan – April 2011	<ul style="list-style-type: none"> • Leadership Council receives comments on draft action agenda • Leadership Council issues final action agenda Implementation Summit



***National Conversation on
Public Health and Chemical Exposures***

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*National Conversation on
Public Health and Chemical Exposures*

Products and Procedures

Leadership Council Meeting

December 11, 2009

Gail Bingham

RESOLVE



Products

Action Agenda – concise, clear, implementable actions that strengthen the nation’s approach to protecting the public from harmful chemical exposures

Work Group Reports – a menu of actions and the rationale to consider for the Action Agenda



Procedures

- **For the National Conversation**
- **Elements**
 - Vision and Purpose
 - Leadership Council
 - Work Groups and Work Group Coordination Committee
 - Safeguards
 - Etc (supporting roles, changes)



Vision and Purpose

- Public health vision
- Inclusive – learning from one another
- Action Agenda – results oriented
- Industrial and naturally occurring chemicals





Leadership Council

- Participate as individuals
- Role – guide process; approve Action Agenda
- Open meetings; public comment
- Decision making – seek consensus, assume action, respect differences
- Non-federal status



Work Groups

- Open nomination process
- Principal forum for analyzing issues; shaping action items
- Input from community conversations, web-dialogue Leadership Council
- Seek consensus, assume action, respect differences





Work Group Coordination

- Leadership Council co-chairs
- Work Group chairs
- Work Group senior liaisons, staff and facilitators
- Leadership Council staff and facilitator



Safeguards

- Good faith – articulate interests, intent to reach agreement
- Right to withdraw
- Communications with media
- No characterization of others' views





Additional Provisions

- Support
 - Facilitation team
 - Staff
 - Senior liaisons
 - Shared vision
- Changes to document



Questions / Discussion