WISCONSIN LEGISLATIVE COUNCIL

NANOTECHNOLOGY

Room 411 South
State Capitol

September 16, 2010
10:00 a.m. – 3:45 p.m.

[The following is a summary of the September 16, 2010 meeting of the Special Committee on Nanotechnology. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at **http://www.legis.state.wi.us/lc.**]

Call to Order and Roll Call

Chair Benedict called the committee to order. The roll was called and a quorum was present.

COMMITTEE MEMBERS PRESENT:	Rep. Benedict, Chair; Sen. Mark Miller, Vice-Chair; Sen. Sheila Harsdorf; Reps. Terese Berceau and Pat Strachota; and Public Members Jeff Cernohous, Michael Cronin, George Gruetzmacher, Robert Hamers, James Hamilton, Doug Hansmann, George Lisensky, Pamela Owen, and Richard Peterson.
COUNCIL STAFF PRESENT:	Mary Matthias and Pam Shannon, Senior Staff Attorneys, and Larry Konopacki, Staff Attorney.
APPEARANCES:	Sen. Fred A. Risser and Rep. Marlin D. Schneider, Co-Chairs, Joint Legislative Council; Laura Rose, Deputy Director, Legislative Council; Jim Alwood, Program Manager, Office of Pollution Prevention and Toxics' Chemical Control Division, U.S. Environmental Protection Agency, Washington, D.C.; Bradley Grams, B.Sc., B.A., Land and Chemicals Division, Chemicals Management Branch, Toxics Section, U.S. Environmental Protection Agency, Region 5, Chicago; Paul A. Schulte, Ph.D., Manager, Nanotechnology Research Center, and Director, Education and Information Division, National Institute for Occupational Safety and Health, U.S. Centers for Disease Control and Prevention, Atlanta; and Todd Kuiken, Research Associate, Project on Emerging Nanotechnologies, Woodrow Wilson International Center for Scholars, Washington, D.C.

Opening Remarks

Chair Benedict welcomed the committee members. Senator Fred Risser and Representative Marlin Schneider, Co-Chairs of the Joint Legislative Council, also provided introductory remarks, along with Laura Rose, Deputy Director of the Legislative Council staff.

Introduction of Committee Members

Chair Benedict introduced himself and asked each committee member to introduce themselves and comment on their interests in serving on the committee.

Description of Materials Distributed

Mary Matthias briefly described the documents that had been distributed to committee members prior to the meeting, including the following:

- GAO Report to the Chairman, Committee on Environment and Public Works, U.S. Senate, *Nanotechnology, Nanomaterials Are Widely Used in Commerce, but EPA Faces Challenges in Regulating Risk* (May 2010).

- Memo No. 1, *Regulation of Nanotechnology in California and Cambridge, Massachusetts* (September 9, 2010).

Presentations by Invited Speakers

Jim Alwood, Program Manager, Office of Pollution Prevention and Toxics' Chemical Control Division, U.S. Environmental Protection Agency (EPA), Washington, D.C.; and Bradley Grams, B.Sc., B.A., Land and Chemicals Division, Chemicals Management Branch, Toxics Section, EPA, Region 5, Chicago

Mr. Alwood talked about challenges defining "nanotechnology" and explained the high level of interest in this topic. He shared information on federal funding of environmental health and safety research with respect to nanotechnology and explained how the EPA is prioritizing its share of that research funding. Mr. Alwood also provided information about the scope of EPA's regulatory authority under the Toxic Substances Control Act (TSCA) and other statutes, and the agency's nanotechnology regulations under the TSCA, both current and under development. He commented on the EPA's voluntary nanoscale materials stewardship program, and shared information about regulatory measures imposed by international, state, and local governments. Mr. Alwood also described research efforts underway through the Organization for Economic Cooperation and Development.

Mr. Grams described the structure, roles, and activities of the EPA's regional offices. He talked about the critical nature of good definitions in establishing understandable regulatory thresholds. He shared information on various EPA field activities relating to nanoscale materials and EPA's research support functions. Mr. Grams highlighted the challenges associated with the many information gaps regarding nanotechnology, explained the EPA's future plans in this area, and noted some of the efforts to update chemicals laws in other states.

Paul A. Schulte, Ph.D., Manager, Nanotechnology Research Center, and Director, Education and Information Division, National Institute for Occupational Safety and Health, U.S. Centers for Disease Control and Prevention, Atlanta

Mr. Schulte highlighted the particular challenges associated with gaining an understanding of the occupational health risks associated with nanotechnology because of the broad range of existing and potential materials that are included under this topic, and explained some of the current and potential benefits of such materials. He noted that the National Institute for Occupational Safety and Health (NIOSH) is particularly concerned with exposure to nanoparticles in the air, and explained that the workplace is generally the first point of potential exposure for a new product, and has a high potential for significant exposure concentrations. Mr. Schulte also pointed out the major knowledge gaps that presently exist regarding the effects of nanomaterials, and explained that existing workplace safety technologies, when applied appropriately, may be sufficient to address many workplace health concerns associated with nanotechnology. Mr. Schulte suggested that exposure registries may be useful for evaluating the risks of nanoparticles.

Todd Kuiken, Research Associate, Project on Emerging Nanotechnologies, Woodrow Wilson International Center for Scholars, Washington, D.C.

Mr. Kuiken provided the committee with information about the desirable characteristics of nanomaterials, how they are made, what their risks are, some regulatory issues associated with them, and challenges regarding public perception of these products. He described the Woodrow Wilson Center's efforts to inventory products that contain nanomaterials, noted the lack of funding to adequately study possible negative impacts of nanomaterials, and explained the lack of sufficient instrumentation necessary to bridge some of the knowledge gaps that must be addressed for there to be effective analysis, monitoring, and regulation of nanomaterials. Mr. Kuiken also described some of the benefits that nanomaterials can have when used as tools for remediation of contaminated sites, compared the efforts to regulate nanomaterials in the United States and Europe, and critiqued federal efforts to regulate these materials. He also described efforts that are being undertaken by other states and local governments in nanotechnology regulation.

Discussion of Committee Assignment and Plans for Future Meetings

Chair Benedict noted that the committee will next meet on September 30 and identified the speakers who have been invited for that meeting. The committee also discussed possible future dates for the third committee meeting, and subsequently scheduled that meeting for October 26 in Madison.

Chair Benedict asked committee members to provide any comments that they might have on their expectations for the committee and information sources that they believe the committee should pursue. It was requested that the committee consider policy options to promote the nanotechnology industry in Wisconsin. A suggestion was made that the committee look into the needs of emergency response personnel to know what materials exist in what locations, and the risks associated with those materials. It was also recommended that the committee learn about liability issues associated with this type of emerging technology. The committee discussed the possibility of the state taking on the role of a central information source for nanotechnology businesses and research and as a clearinghouse of best management/handling practices for nanomaterials. The committee also expressed interest in exploring a possible state information gathering effort such as a nanotechnology registry.

Adjournment

The meeting was adjourned at 3:45 p.m.

LAK:jal