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# Selecting High-Priority Hazardous Chemicals for Tri-National Control: A Maximum-Utility Method Applied to Mexico

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# Selecting High-priority Hazardous Chemicals for Tri-national Control:

# A Maximum-utility Method Applied to Mexico

# TIMOTHY J. DOWNS, DENV, CARLOS SANTOS-BURGOA, MD, PHD

The dispersion of persistent, bioaccumulative toxic chemicals poses risks to human health and the integrity of the ecosystem on a continental scale. Mexico, the United States, and Canada sought to add two pollutants to an existing list of four subject to North American Regional Action Plans (chlordane, DDT, mercury, PCBs). Mexican negotiators used results from an internal selection process, applying 14 criteria in five categoriesphysicochemical, health-endpoint, data quality/quantity, exposure potential, and control feasibility-to a baseline group of over 4,700 substances. Using policy analysis by the multiattribute maximum-utility method, progressive application of criteria and weighting algorithms acted like successive filters to identify priority lists of 15 and 7 substances/substance groups for Mexico. The 15 are: 1) benzo-*a*-pyrene  $(+)$  other PAHs $)$ ; 2) cadmium; 3) heptachlor; 4) hexachlorobenzene; 5) lead; 6) lindane (+ other HCH isomers); 7) 2,3,7,8-tetrachlorodibenzo- $\not$ dioxin (+ other PCDDs); 8) aldrin; 9) arsenic; 10) chromium; 11) carbon tetrachloride; 12) 3-3'-dichlorobenzidine; 13) dieldrin; 14) nickel; and 15) toxaphene. The first seven are the priority list of seven. Key words: chemical risk; policy analysis; trinational; NAFTA; Mexico.

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American Regional Action orth Plans (NARAPs) have been developed to cooperatively control substances that pose long-term risks to human health and the integrity of the ecosystem in all three countries of the region. The plans form a central part of the Sound Management of Chemicals (SMOC) initiative that originated under Resolution 95-5 of the Council of the Commission for Environmental Cooperation.<sup>1</sup> It was promulgated under the North American Agreement on Environmental Cooperation signed by Mexico, the United States, and Canada,<sup>2</sup> a side agreement of the North American Free Trade Agreement (NAFTA). SMOC is consistent with Agenda 21, the sustainable-development blueprint that was the result of the 1992 United Nations Conference on Environment and Development.<sup>3</sup>

The SMOC Working Group originally chose Hg, PCBs, chlordane, and DDT to be the first four tri-nationally controlled substances.<sup>4</sup> Later, the Substance Selection Task Force was created to analyze the appropriateness of new substances to be included in the SMOC initiative. The selection process was defined to include nomination, evaluation (substance evaluation and mutual-concern evaluation), discussion, and decision stages. Mexico reviewed its submission process to decide which substances to recommend for tri-national control, and we were asked to help the national authorities define Mexican priorities. Although the risk priorities of partner countries are unlikely to coincide under very different source-receptor conditions (especially Mexico compared with the other two), substance-selection criteria should be universal. The Task Force recently reviewed four additional substances<sup>5</sup>-hexachlorobenzene (HCB), dioxins/furans, lead, and lindane-with the first two approved for NARAP control.

Medium- and long-range transport of chemicals within and beyond the North American Continent occurs when substances resistant to physical, chemical, and biological degradation are dispersed by regional air and/or water circulation, and/or by migrating species. When the magnitudes, frequencies, and durations of the emissions of such substances are sufficient, significant environmental concentrations may occur. Combine persistence and source strength with high bioaccumulation potential, high human toxicity, and high non-human toxicity, and the substances pose potential risks to luted 1 places sures t

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risks to humans and other species in contact with polluted media on a continental scale. That is, even in places without local or national sources, chronic exposures to such substances may occur. Risks remain potential until we can estimate individual and population exposures.

The primary objective of the substance-selection and control process is to optimize protection of public health and ecosystem integrity in the region. Since health risk is a dependent-probability quantity, substance-selection criteria are identifiable by their governance of it:

1. Probability of substance toxicity-derives from limited toxicologic knowledge of target organisms, organs, and endpoints = function of toxicodynamics between substance and organism molecules, biotransformation, biostorage, and evacuation. This is generally the main source of uncertainty.

2. Probability of substance presence/bioavailability in the environment = function of source type (e.g., fixed vs moving combustion discharge to air, point vs non-point process discharges to water and soil), source strength, duration, frequency, and effectiveness of control. Once the substance is released, this probability becomes a function of the substance's physicochemical properties (e.g. vapor pressure, aqueous solubility, partition coefficients, degradation rate constants) and properties of the environment (e.g., wind, insulation and precipitation regimen, steam flow, groundwater flow, soil erosion, soil organic carbon content, vegetation type and cover).

3. Probability of exposure-contact between target organism(s) and substance  $=$  function of the combined probability of presence/bioavailability in the environment (2) and the probability of target-organism contact, the latter dependent on time-activity patterns and the effectiveness of multi-pathway exposure controls.

Probability 2 varies between environments and populations with geophysical, sociocultural and economic conditions, and probability 3 co-varies.

### **METHODS**

#### Policy Analysis by Maximum Utility

The selection of substances for priority constitutes an exercise in policy analysis, "an analytical activity undertaken in direct support of specific public or private sector decision makers who are faced with a decision that must be made or a problem that must be resolved."<sup>6</sup> Its main objective is: "To evaluate, order and structure incomplete knowledge so as to allow decisions to be made with as complete an understanding as possible of the current state of knowledge, its limitations and its implications."7

A common and simple approach to analysis would be to establish a priori the group of criteria and the substances (options) to which they are to be applied. Such a group of criteria is that preestablished by the SMOC Task Force on Criteria<sup>8</sup>: toxicity, persistence, and bioaccumulation. A predetermined-options list would be any "favorite" list of substances or priority listing that has been arrived at without the policymaker's understanding the specific criteria applied (e.g., by blindly using the USEPA Top 20 Hazardous Substance List-why is it the top 20?). March<sup>9</sup> noted that "the prior specification of criteria and the prior specification of evaluation procedures that depend on such criteria are common presumptions in contemporary social policy making . . . [and] they are presumptions that inhibit the serendipitous discovery of new criteria." Consequently, the selection process described herein was not predetermined, but rather was tailored to Mexico's needs and applied in accordance with policy analysis that consists of "a set of



Figure 1-Good policy analysis (after Morgan and Henrion.)<sup>6</sup>



Figure 2-Multi-criteria selection process. As the number of candidate substances decreases, resolution of selectivity and data needs increase, affording efficiency.

procedures for inventing, exploring and comparing alternatives available for achieving certain social goalsand for inventing, exploring and comparing the alternative ends themselves-in a world limited in knowledge, in resources, and in rationality."10

For decision making based on the evaluation of outcomes, the most appropriate method uses utility-based criteria, with the decision algorithm consisting of the maximization of a multiattribute utility function  $(MAU)<sup>6</sup>$  of the following form:

$$
\begin{array}{c}\text{Maximize } MAU \left(\mathbf{w}_1 \mathbf{u}_1 + \mathbf{w}_2 \mathbf{u}_2 + \mathbf{w}_3 \mathbf{u}_3 + \dots \mathbf{w}_{\text{final}} \mathbf{u}_{\text{final}}\right) \\ \qquad \qquad (1)\end{array}
$$

where:

 $w_1$  = weighting factor for attribute/criterion 1

 $w_2$  = weighting for criterion 2, etc.

 $u_1$  = utility value assigned to attribute/criterion 1

 $u_2$  = utility of criterion 2, etc.

For example, for substance X, we may assign a utility value to the human cancer toxicity criterion: if X is not carcinogenic, utility is zero; if it is highly toxic utility would be scored high on an arbitrary relative scale. MAU handles noncommensurate quantities, and combines the ideas of weight of evidence—the quantity/totality of data—and *strength of evidence*—the quality/degree of certainty about data.

## **Substance Selection**

We established an iterative selection process following the scheme proposed by Morgan and Henrion<sup>6</sup> for good policy analysis and the refinement of decision models (Figure 1). Literature sources, including prioritized substance lists from Mexico, Canada, the United States, and Europe, were used to obtain the following data: physico-chemical properties; toxicities; exposure potential; Mexican economic relevance, sources, uses and production; and technical pollution controls. The full process of selection of seven substances from 4,730 substances is described in Figure 2, which shows six stages and four criteria "filters." Each filter represents a modification of the preceding selection model to improve resolution, using more criteria to reduce the number of candidate substances while keeping data needs manageable. For example, application of Filter 3 criteria earlier than Stage V would overwhelm our resource capabilities: an implicit prioritization of the selection criteria operates. Table 1 describes the 14 criteria progressively applied to select seven substances from a domain of 4,730.

Relative criterion-utility values on semiquantitative scales (e.g., 0, 1, 2, and 3 for none, low, moderate, and high utility, respectively) are based on an objective evaluation of the totality of evidence consulted. For presence/absence in existing priority lists (weight of evidence), 1/0 values were used, and in later model Stages V and VI, where more resolution is needed, a 0-10 scale was used and normalized to 0–1.0 against the maximum possible utility value. Selection is made by total multi-criteria utility (e.g., by Excel® data sorting), but criteria on utilities are kept visible and flexible to weighting. We avoid a non-transparent grand index of risk priority composed of noncommensurable quantities.

The baseline database was the U.S. Environmental Protection Agency's Waste Minimization and Prioritization Tool (WMPT) version 1.0,<sup>11</sup> downloaded from the Internet. The database ranks 4,730 substances by four criteria: human toxicity (C, cancer or non-cancer), ecotoxicity (E), environmental persistence (P), and bioaccumulation potential (B). In Stage I of selection, the top 879 substances were isolated using the WMPT ranking. The Stage II cutoff was the top 111 by WPMT criteria, plus 49 additional substances not included in the WMPT ranking (Appendix A: 160 substances) but con-

sidered important by interviewed experts on hazardous substances. Six experts (in public health, ecology, and toxicology) were selected from professional and academic institutions in Mexico, presented with the 111 selections, and asked to add those substances they considered to be missing candidates.

Stage III applied the first new criteria filter (Filter 1) to the 160 substances from Stage II, considering C and NC separately (WMPT combines them in its ranking). It also includes a sixth criterion, "reactivity" (R), to account for a parent substance's ability to form several products in reactions with other substances, an electrodynamic and thermodynamic criterion. The WMPT model tends to rank organic compounds above metals because by considering metal ions or compounds separately, each one may rank low, while collectively they represent a relatively high potential risk. Stage III reduction from 160 to 32 used four different weighting algorithms for the six criteria (Appendix A). For example, algorithm C used weights biased towards endpoints by giving criteria C, NC, and E twice the weight of physico-chemical/biochemical criteria, while algorithm B used equal weights for all. Substances consistently ranking top, insensitive to weightings, are considered



TABLE 1 Criteria for Selection of High-priority Hazardous Chemicals

priorities. Stage IV (Filter 2) reduced the 32 to 15 by using the utility of weight of evidence/presence in priority lists (W). This utility is the total utility of regulatory sub-criteria from 50 data sources from Mexico (14), the UN  $(1)$ , the OECD  $(1)$ , the European Union  $(2)$ , Canada (1), and the United States (31). Although W is dominated by U.S. data, the data are related to toxicity independent of country, so they do not bias results. (Readers may contact us for a copy of the sub-criteria list and evaluation table.) The result of Stage IV is the first priority list of 15 substances (PL15, Appendix B).

Stage V reduction from 15 to seven substances (Appendix C) used eight criteria: general human exposure potential in Mexico (GE); human non-cancer toxicity (NC)—considering explicitly target organs, endocrine effects, skin effects, and reproductive effects; cancer toxicity  $(C)$ ; ecotoxicity  $(E)$ —considering effects on rats and target organs of mammals; P; B; and socio-political feasibility (SC). Membership in a chemical group of several isomers or compounds (Gp) potentiates utility and is used as a 1.2 multiplier for the total utility of the other seven. Scoring is normalized to the maximum utility possible. The result is the second priority list of seven

substances (PL7, Appendix D). In Stage VL, PL7 was subjected to ten criteria and three weighting algorithms:  $T_i$ —all ten criteria equal;  $T_i$ —only seven criteria; T<sub>iii</sub>—SMOC original criteria plus E. In algorithm T<sub>ii</sub> NC was given a relative weight of 2.0 compared with C, since it is a composite of several endpoints. New criteria are: technical feasibility (TC), occupational exposure potential (OE), and environmental exposure potential (EE). This stage seeks to compare PL7 with a view to recommending just two.

## **RESULTS**

The final list of seven high-priority substances for Mexico consists of those substances with the highest combined rankings by all the above criteria. Among the seven are two metals, two secondary pollutants, and three organochlorine pesticides. In three cases, the process identified priority groups of substances: polychlorinated dibenzodioxins (PCDDs); polycyclic aromatic hydrocarbons (PAHs); and hexachlorocyclohexanes (HCHs), with principal examples of each group evaluated in detail.

#### TABLE 2 Summaries of Substance Evaluations (see Appendix D)

**1. Benzo-a-pyrene**  $(C_{20}H_{12}$ : group = polyaromatic hydrocarbons/PAHs; secondary pollutant) Human exposures to BaP are considered to be moderate, cancer toxicity high, and non-cancer toxicity moderate. Persistence and bioaccumulation potential are both considered high. Socio-political control feasibility is considered high but technical control feasibility moderate to low because of the secondary-pollutant nature of the substance.

2. Cadmium (Cd-X-ions and compounds; metal) Cancer effects, non-cancer effects, ecotoxicity, and persistence are all high, and bioaccumulation moderate to high. In addition, since Cd is a commercial metal with numerous uses, occupational exposure is expected to be high and environmental exposure moderate in Mexico relative to the other substances. Socio-political feasibility and technical feasibility for control are both considered moderate because of its commercial importance.

**3. Hexachlorobenzene**  $(C_6C_6$ ; organochlorine pesticide) Human exposures to HCB are considered to be low since it has been a prohibited pesticide for several years; cancer toxicity moderate, and non-cancer toxicity moderate to high. Persistence and bioaccumulation potentials are both considered high. Socio-political control feasibility and technical control feasibility in Mexico are both high because of its prohibition.

**4. Heptachlor**  $(C_{10}H_5Cl_7$ ; organochlorine pesticide) Human exposures to heptachlor are considered to be low since it has been a prohibited pesticide for several years in Mexico. Cancer toxicity is moderate and non-cancer toxicity high. Persistence and bioaccumulation potentials are both considered high. Socio-political control feasibility and technical control feasibility are both high because of its prior prohibition.

5. Lead (Pb-X-ions and compounds; metal) Cancer effects are moderate, non-cancer effects are high, ecotoxicity is high, persistence is high, and bioaccumulation moderate to high. In addition, since Pb is both a commercial metal and a low-temperature ceramic glaze additive and was formerly a gasoline additive, occupational exposure is expected to be high and environmental exposures moderate to high in Mexico relative to the other substances. However, as for Cd, socio-political feasibility and technical feasibility for control are both moderate because of its commercial importance.

6. Lindane (C<sub>6</sub>H<sub>6</sub>Cl<sub>6</sub>; group: hexachlorocyclohexanes/HCHs; organochlorine pesticide) Human exposures to lindane are considered to be low to moderate because, although it is still used, there is a relatively smaller population considered at risk compared with ubiquitous substances such as Pb, BaP, and TCDD. Cancer toxicity is low and non-cancer toxicity high. Persistence and bioaccumulation potentials are both considered moderate compared with BAP, for example. Socio-political control feasibility is considered high and technical control feasibility high because of the previous success with the prohibition of other pesticides.

7. 2,3,7,8-Tetrachlorodibenzo-p-dioxin (C<sub>12</sub>H<sub>4</sub>Cl<sub>4</sub>O<sub>2</sub>; group polychlorinated dibenzodioxins/PCDDs; secondary pollutant) Human occupational exposure to TCDD is considered to be moderate to low since it is not manufactured or used but is a byproduct, and environmental exposure moderate because of the ubiquitous nature of this secondary pollutant. Cancer toxicity is moderate and non-cancer toxicity moderate to high. Persistence and bioaccumulation potentials are both considered high. Socio-political control feasibility is considered moderate and technical control feasibility moderate to low because of the secondary-pollutant nature of the substance.

Appendix D utilities by algorithm  $T_i$  (all criteria) are: BaP (8.0), TCDD (8.0), lindane (7.9), Cd (7.5), Pb (7.4), heptachlor (7.2), and HCB (7.0). However, including only hazard criteria  $(T_{ii})$ —toxicities, exposures, bioaccumulation, and persistence—and weighting noncancer effects twice as important as cancer effects, the ranking changes: Cd (7.0), Pb (6.9), TCDD (6.4), BaP  $(6.2)$ , heptachlor  $(6.2)$ , lindane  $(5.9)$ , and HCB  $(5.8)$ . The final algorithm  $(T_{iii})$  excludes exposures and includes the original SMOC hazard criteria that are more objective. The ranking is: heptachlor  $(4.7)$ , Cd  $(4.6)$ , HCB (4.5), TCDD (4.5), BaP (4.4), Pb (4.3), and lindane (3.9).

Two substances rank consistently high: Cd and TCDD, but the ranks are sensitive to control feasibility and exposure criteria, both of which require the collection of better data. Summary capsules of each substance evaluation in the Mexico context are given in Table 2; evaluations are relative to other substances in the list. PL7 dossiers supporting negotiations included the following information: names and structure; physicochemical properties; toxicity in humans; ecotoxicity; sources, uses and production in Mexico; fate and transport; presence in humans, other biota and environmental media; human exposure potential and pathways in Mexico; key classifications (e.g., IARC, ACGIH); risk management in Mexico; knowledge gaps in Mexico; and bibliography.

# **DISCUSSION**

Different countries have differing risk sources, exposure regimens, feasible control methods, and resources (human, material, financial, and informational), so selection of substances for priority must be done efficiently, considering the utility values of multiple criteria in the national context. Gaps in knowledge mean environmental and occupational exposure criteria are often excluded from prioritization of substances even though these data are vital to estimate population risks and engage in strategic risk management.

Policymakers in Mexico should resist international pressure to adopt risk standards or choices made in developed countries. Each country should consider its own needs and face the consequences of its own decisions. For example, the phasing out of DDT in Mexico should be done as alternative malaria controls are substituted. Players in international negotiations where a consensus about environmental health risk priorities is required should adopt both a national perspective and a regional perspective. Control plans should be evaluated with criteria that include: 1) technical feasibility; 2) cost-effectiveness (cost per unit risk reduction); and 3) socio-political and economic feasibility (especially for mined metals, for example).

Our exposure rankings are based not on measured population data in Mexico, but rather on a general knowledge of the sources and uses of the substances. Good exposure data are the main missing element in a characterization of substance risks in Mexico, and are considered a priority for future information resources. Information resources imply three key components: 1) comprehensive monitoring systems; 2) accredited laboratories capable of analyzing the indicator samples; and 3) information integration and dissemination. All three are weak in Mexico, and require regional NAFTA costsharing with public- and private-sector investment. For this reason, we recommend the development of a National or North American Regional Risk Characterization Program to strengthen information resources for effective environmental and occupational management.

In Mexico, poor socioeconomic conditions, environmental degradation, and deficient occupational conditions tend to favor higher-level population exposures to synthetic non-carcinogens than to synthetic carcinogens, i.e., it is likely that many non-cancer-related toxic effects in humans are more important than cancer-related effects (PL 15/7 substances have cancer and non-cancer "utilities"). Cancer tends to be the focus of developingcountry chemical policy because public perception demands it.

Arguably, assumptions of zero threshold dose for cancer risk and a regulatory  $\leq 10^{-6}$  acceptable population risk are too stringent for countries with very limited resources and public health priorities that include controlling pathogens and vector-borne diseases. Downs et al.<sup>12</sup> applied comparative quantitative risk assessment at low cost to chemicals and pathogens in a wastewater-irrigation district of Mexico to identify priorities.

The recommendation of two substances from the final PL7 list depends necessarily upon the relative weights applied to the ten criteria in Appendix D. This subjective weighting was left to the decision makers, but it should be explicit, qualified, and defensible. Neither the exposure criteria nor weight-of-evidence criteria nor the two feasibility criteria were part of the a priori SMOC criterion group, and these are important considerations. Policymakers should beware of any bias towards organic substances, since risk policy should not exclude hazardous metals. The Mexican government subsequently used PL7 as a basis for its recommendations during tri-national negotiations. Recent SMOC talks resulted in the decision by the Council of the CEC<sup>13</sup> to make hexachlorobenzene and dioxins/furans subject to North American Regional Action Plans to be developed by the SMOC Working Group, while lead and lindane undergo further review. Notably, all four are PL7 substances.

#### **Hot Spots**

Independently of the tri-national actions, Mexico should invest in the sound management of all PL15 substances, starting with PL7. The criteria we applied to select these substances also allow a country to map potential risk "hot spots," a need Mexico is recognizing by initiating such a process. The selection of sites should proceed using the following criteria: 1) Sites with important risk-agent sources, e.g., high emission rates of PL7/15 priority substances; 2) Sites with large populations of potentially-exposed people from contact with occupational and/or environmental media; and 3) Sites where pollution is ecotoxic to sentinel/keystone species or complete habitats. The third criterion allows acute non-PL7/15 substance pollution by hydrocarbons or mining wastes to be prioritized, though sadly remediation is often impossible. Site selection by the MAU method should be used to reduce the number of potential hot spots to about 20-30. Judicial field sampling of media and quantitative risk screening<sup>12</sup> can then be used to identify priorities for strategic, cost-effective management and communication. Geographic information systems (GISs) are well suited to represent spatial data of this kind because their graphic output is readily interpretable by policymakers. The effort necessarily calls for much stronger intra- and interinstitutional collaboration within and between agencies responsible for public health and ecology in Mexico.

#### Sustainable Risk Management

While substance selection and regional plans are important steps toward risk management, the scope and integration required for sustainable improvements are far wider. Experience suggests partners must collaborate to integrate five components into a sustainable process in each country:

- 1. Development of human resources. Training scientists, technicians, and policy experts.
- 2. Strengthening of information resources. Integrated monitoring of risk agents and epidemiologic surveillance; state-level certified laboratories with regional data sharing and quality control; data integration by GISs; regional applied research networks; effective information transfer to decision makers and knowledge application.
- 3. Regulatory development, enforcement, and compliance. Regulations for Mexico should not be carbon copies of other countries' laws; rather, they should reflect national priorities and monitoring capacities (co-varies with 2 above), while successful enforcement/compliance experiences elsewhere can be adapted to Mexico.
- 4. Stimulation of a market for environmental products and services (driven by 3 above). Federal support for Mexican entrepreneurs, research and development, incentives for private sector investment, and the efficient, transparent application of financial resources earmarked for sustainable development projects.

5. Multi-stakeholder participation. Diagnosis of local needs, planning of activities, implementation, consolidation, and maintenance of risk interventions. Ideally includes the community/workforce at risk, scientists/academia, biodiversity conservationists, NGOs, public agencies/regulators, and privatesector risk sources and investors.

Such integrated processes are applicable to a wide range of issues from public health protection and biodiversity conservation through to natural resource stewardship, allowing positive synergies and economies of scale to emerge. Their success is governed much more by productive collaboration-how we work togetherthan by the limits of scientific knowledge.

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Stage II Candidates Subjected to Stage II Selection (160 to 32)

APPENDIX A

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Values: 1 = low value, 2 = moderate, 3 = high according to WPMT (USEPA waste prioritization and minimization tool) database.<br><sup>2</sup>wpmt = EPA WPMT total score as it appears in database.<br><sup>3</sup>Total citterion utility values using

#### **APPENDIX B**





Total 1-50 is the utility total for 50 data sources. Each appearance is 1 point; in the case of the Massachusetts Substance List sub-criterion 1 point for cancer effects, 2 points if cancer and non-cancer effects. "Substan

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APPENDIX C

Database for Stage V Selection (15 to 7)



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**APPENDIX D** 

Final Stage VI Comparison between PL7 Substances



See Appendix C or Table 1 for criterion codes.

Scores are normalized values with 1.0 maximum. Bolded substances have consistently high priority.

\*Original criterion in SMOC preliminary documents and guidelines (C and NC combined).

Technical control feasibility FC

Total score by algorithm i (sum of all criteria 1-10)

Total score by algorithm ii (sum of hazard criteria 3–9, giving weight of 2.0 to non-cancer effects)<br>Total score by algorithm iii (sum of original hazard criteria 3–5, 8, 9)<br>Ranking by algorithms i, ii, iii

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