

Regulating Precaution: *San Francisco's Precautionary Principle Ordinance*

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The Precautionary Principle:

≠ Zero risk

= Minimize harm

≠ Zero science

= Maximize
information/science

≠ Predetermined
outcome
(i.e. ban)

= Process for public
decision making

What Got San Francisco's Attention?

- **Community Interest**
 - Bay Area Working Group on the Precautionary Principle
 - Breast Cancer Fund
- **Commission on the Environment**
- **Department of the Environment**
- **Mayor Willie Brown Jr.**

The Public Process:

- **Direction from elected officials**
- **18 months of public meetings**
- **Input from business groups**
 - **Committee on Jobs**
 - **Chamber of Commerce**
 - **Labor Unions**
 - **American Chemistry Council**
- **Consultation with subject matter experts**

Precautionary Principle Ordinance

- Chapter One of a newly formed Environment Code – over arching principle
- For complete text see:

www.sfenvironment.org

**Moving From Theoretical
Principle to Practical Policy:**

Alternatives Assessment

Mary O'Brien

**Making Better Environmental Decisions:
An Alternative to Risk Assessment**

The Precautionary Approach: Risk Assess. vs. Alternatives Analysis

- **Risk Assessment**

- What is an acceptable level of harm? (i.e. # of cancers in 1000 people)
- Does this activity (product) fall within that acceptable level?

- **Alternatives Analysis**

- Is this potentially hazardous activity (product) necessary?
- What less hazardous options are available?
- How little damage is possible?

Five Tenets of SF Ordinance:

- **There is a duty to take anticipatory action to prevent harm**
- **The community has a right to know complete and accurate information**
- **Decisions must be transparent, participatory, and informed by the best available information**

Five Tenets of SF Ordinance:

- **There is a duty to examine a full range of alternatives, including the alternative of doing nothing**
- **Decision makers must consider the full range of costs, including costs outside the initial price**

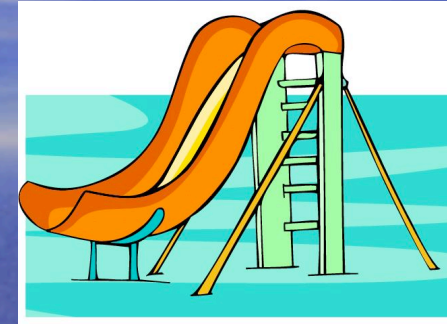
Implementation - San Francisco



- **Integrated Pest Management**
 - **Evaluated health and environmental impacts of pesticides used on City property**
 - **Alternatives analysis identified pesticides presenting minimum harm**
 - **Designed training programs to minimize pesticide use**

Implementation - San Francisco

- **Arsenic Treated Wood**



- Evaluated health and environmental impacts of constituents of pressure treated wood (CCA)
- Alternatives analysis revealed less toxic formulations (ACQ, CBA)
- Alternatives analysis identified cases where arsenic treated wood is the most environmentally preferable formulation of pressure treated wood i.e. submerged aquatic

Implementation – San Francisco

- **New Regulations**
 - Purchasing Ordinance
 - Green Building Standards
- **New Avenues for Discussion**
 - Recycled Water
 - Power Plant Development
 - Links to Environmental Justice
 - More possibilities

Implementation - SCAQMD

- **Parts Washers**
 - solvent vs. aqueous
- **Paint**
 - VOC limits, oil vs. latex
- **Dry Cleaners**
 - PERC vs. other technologies

Re-defining the Central Question for Decision Makers:

≠ Is it legal?

≠ Is it safe?

- **Instead: Is it necessary?**