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October 15, 2010

John C. Monica, Jr.  
Porter Wright Morris & Arthur, LLP  
1919 Pennsylvania Ave., NW  
Suite 500  
Washington, DC 20006

RE: NANOSAFETY CONSORTIUM FOR CARBON (NCC) – ADVISORY BOARD AND EXTERNAL LIAISON  
RECOMMENDATIONS

Dear John:

This letter is in response to your August 6, 2010, letter asking me to meet with NCC's advisory board and external liaisons to consider the recent resolution passed by NCC's Management Committee proposing a multi-tiered toxicity testing program for presentation by NCC to EPA.

The advisory board and external liaisons have met and determined that the six-tier approach advanced by NCC's Management Committee is indeed appropriate for presentation by NCC to EPA. While the exact details of the program will require much future work and consultation, the advisory board and external liaisons believe that this general approach represents a proactive, state-of-the-art attempt to address the potential adverse environmental, health, and safety issues related to certain carbon nanomaterials.

By way of general summary, our understanding of the six tiers supported by NCC's Management Committee and approved by NCC's advisory board and external liaisons are:

**Tier One:** Multi-faceted materials characterization based on OECD and/or ISO criteria.

**Tier Two:** Workplace assessments to be coordinated with the National Institute for Occupational Safety and Health based on their good nanomanufacturing guidelines and other published documents.

**Tier Three:** Focused life cycle analysis for each NCC member accounting for potential EHS risks and hazards during the manufacturing process.

**Tier Four:** Creation and implementation of a monitoring program to ensure that there are no releases to water of nanoscale carbon materials above predetermined levels.

**Tier Five:** Ninety day *in vivo* inhalation toxicity testing of purified representative samples of multi-walled carbon nanotubes (including double-walled carbon nanotubes), single-walled carbon nanotubes, fullerenes, graphene, and carbon nanofibers based on modified OECD and/or EPA OPPT testing guidelines.

**Tier Six:** Provision of all resulting data and information to EPA. Open publication and dissemination of final test results.

Again, NCC's advisory board and external liaisons concur with this general six-tiered approach and look forward to further refining each tier should EPA ultimately decide to pursue NCC's proposal.

Please keep me and the advisory board and external liaisons apprised of your discussions with EPA. Additionally, please call if you have questions.

Sincerely,  
INTERTOX, INC.

Richard C. Pleus, Ph.D.  
Managing Director