

Chemical Biological Defense Acquisition Initiatives Forum

Decontamination Sector

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Framing the Issue

Sector's position on the marketing and sale of equipment developed for the DoD to state and local governments.

- Is your organization considering marketing/selling products developed for DOD to state and local governments?
- If not, is liability a concern? Are there other issues or concerns?
- Has your organization investigated the benefits of Safety Act liability protection?
- If you are considering marketing/selling such products, would you expect that they will only be used in the event of a terrorist incident?
- Are you concerned that their use would not be limited to terrorist incidents covered by Safety Act liability protection?
- Can you suggest any government actions that could be taken that would encourage you to consider the state and local government market?

Decon Sector Respondent Profiles

- Companies within the Decontamination Sector provide one or more of the following:
 - Chemistries for chemical and/or biological decontamination
 - Systems for delivery of decontaminants
 - System components and support equipment
 - Decontamination services

- Company scale
 - Small
 - Limited experience with liability issues
 - Often not risk-averse
 - Large, typically publicly held
 - Knowledge and understanding of liability issues
 - May be risk averse or skilled at managing risk

Decon Sector Markets

- Respondents' point of view depended on whether their products and/or services were initially:
 - Developed for DoD
 - Developed for broader application – i.e., for DoD and for state and local governments, or for non-military application

Those with Products Developed for DoD

- Technology may be mission-restricted or inappropriate for state and local government usage
- If not restricted, are exploring other markets
- Have looked into or obtained Safety Act Protection
- Concerned about terrorist incident designation
 - Time delay to obtain
 - Inconclusive; possibility of later reversal
- State and local levels have widely diverse procedures and controls, less experience and training than DoD; need for in-depth training, pre-planning and broader understanding of appropriate use of technology
- Need for Federally dictated procedures/labeling to reduce the chance of misuse in non-DoD markets

Those with Products Developed for Broad Application

- Already in state and local governments and/or commercial markets
- If not already in DoD market, wish to sell existing products to DoD
- Some were unaware of the Safety Act; others have looked into or obtained Safety Act Protection
- Already concluded the risk of selling to state and local governments is manageable
- Would like to reduce liability exposure
- Would welcome further protection
- See need for in-depth training, pre-planning and broader understanding of appropriate use of technology