



February 27, 2013

VIA EMAIL  
cepc@calepa.ca.gov

VIA EMAIL

Secretary Matthew Rodriquez  
Environmental Policy Council  
1001 I Street, P.O. Box 2815  
Sacramento, CA 95812-2806

Re: Comments for February 28, 2013 CEPC Meeting

Dear Secretary Rodriquez:

The Alliance of Automobile Manufacturers (“Alliance”) reviewed the Department of Toxic Substance Control (“DTSC”) report entitled “Recommendation on the Need for a Multimedia Evaluation of the Safer Consumer Products Regulations” dated February 2013 (the “Report”). The Report, intended to illicit a California Environmental Policy Council (“CEPC”) determination that the multimedia lifecycle evaluation required under Health and Safety Code § 25252.5 is not required, concludes that the CEPC can, and should, conclusively determine that the Safer Consumer Products Regulations (the “Regulations”) will not have any significant adverse impact on public health or the environment. The Alliance continues to believe that this conclusion is unsupported.

Overwhelming evidence and common sense dictate that adoption of the Regulations could result in significant adverse environmental effects. For this reason, the CEPC should decline to adopt DTSC’s recommendation, and the necessary multimedia lifecycle analysis should be prepared. Furthermore, the CEPC should utilize this opportunity to inform DTSC that this potential for adverse environmental impacts means further California Environmental Quality Act (“CEQA”) analysis must be undertaken prior to the adoption of the Regulations.

Each of these arguments has been fleshed out in detail in multiple letters submitted by Alston & Bird LLP and the Alliance, both in connection with the October 2010 CEPC hearing on a prior draft of the Regulations, and at various other points during the lengthy regulatory development process.<sup>1</sup> Each said letter is attached hereto and incorporated by reference herein.

For the foregoing reasons, and for each of the reasons set forth in the letters referenced above, the CEPC should not adopt the DTSC recommendation contained in the Report. More importantly, the CEPC should strongly urge DTSC to postpone adoption of the Regulations until it has performed the required multimedia analysis and fully complied with CEQA.

Thank you for your time and consideration of our comments. If you have any questions, please feel free to contact me at [frio@autoalliance.org](mailto:frio@autoalliance.org) or (202) 326-5551.

Sincerely,

A handwritten signature in blue ink that reads "Filipa Rio".

Filipa Rio  
Senior Manager, Environmental Affairs

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<sup>1</sup> See Ltr. from Alston & Bird, LLP to Secretary Adams, "Need for a Multimedia Evaluation and CEQA Compliance for the Safer Consumer Product Alternatives Regulations" (October 26, 2010); Ltr. from Alston & Bird LLP to Mr. Jeff Woled, "Need for a Multimedia Evaluation and CEQA Compliance for the Safer Consumer Product Alternatives Regulations" (November 1, 2010); Ltr. from The Alliance of Automobile Manufacturers to Ms. Krysia Von Burg, "Comments on July 27, 2012 Draft Safer Consumer Product Alternatives Regulations" (October 11, 2012), specifically the CEQA arguments contained on pp. 3-4 and 12-13, which are relevant in the CEPC context for the reasons set forth in each of the two letters referenced above.