

CALIFORNIA ENVIRONMENTAL POLICY COUNCIL

NOTICE OF PUBLIC MEETING

Department of Toxic Substances Control's Safer
Consumer Products Draft Regulations

Need for a Multimedia Evaluation

The Secretary of the California Environmental Protection Agency (Cal/EPA) will convene a public meeting of the California Environmental Policy Council (CEPC) to consider the need for a multimedia evaluation of the Safer Consumer Products regulations proposed by the Department of Toxic Substances Control (DTSC). The public meeting will commence as follows:

Thursday, February 28, 2013 at 9:00 a.m.

2nd Floor – Sierra Hearing Room
Joe Serna, Jr. Cal/EPA Building
1001 "I" Street, Second Floor
Sacramento, California

PURPOSE OF MEETING

At the public meeting, the CEPC will consider DTSC will provide a presentation to the CEPC and will summarize the findings in the report. Based on the report and public comments, the CEPC will determine whether or not DTSC's proposed regulations will have a significant adverse impact on public health or the environment. The public comments made in this public meeting should be primarily focused on the recommendation contained in the DTSC report.

Persons interested in commenting on the DTSC Safer Consumer Products regulations must do so by sending their comments directly to DTSC a part of the rulemaking process, as explained later in this notice.

ISSUE

Can the CEPC conclusively determine, following an initial evaluation of the proposed regulation, that the regulations will not have any significant adverse impact on public health or the environment?

BACKGROUND

The CEPC consists of the Secretary for Environmental Protection (Chair), the Chairman of the Air Resources Board (ARB), the Director of the Department of Pesticide Regulation, the Director of the Department of Toxic Substances Control, the Director of the Office of Environmental Health Hazard Assessment, the Chairman of the State Water Resources Control Board and the Director of the California Department of Resources Recycling and Recovery.

The CEPC was originally established by the Environmental Protection Permit Reform Act of 1993 to designate a consolidated permit agency for applicants for environmental permits from multiple environmental agencies. In 1999 the CEPC's functions were expanded to review multimedia environmental evaluations of new motor vehicle fuels. ARB may not adopt any regulation that establishes a motor vehicle fuel specification unless a multimedia evaluation conducted by affected agencies and coordinated by the ARB is reviewed by the CEPC. For more information on the CEPC, go to: <http://www.calepa.ca.gov/cepc/>

PROPOSED ACTION

Existing law (Sections 25252 and 25253 of the Health and Safety Code) requires DTSC to adopt regulations to identify and prioritize chemicals of concern in consumer products and to evaluate those chemicals and their alternatives so as to reduce exposure and limit hazards posed by such chemicals.

Additionally, existing law (Section 25252.5 of the Health and Safety Code) requires DTSC to prepare, and submit to the CEPC for review, a multimedia evaluation prior to adopting these regulations. However, the law provides an exception to this process. Specifically, DTSC is authorized to adopt the regulations without preparing a multimedia evaluation if the CEPC conclusively determines that the regulations will not have any significant adverse impact on public health or the environment.

The proposed DTSC regulations would do the following: (1) establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern; (2) establish a process for evaluating chemicals of concern in consumer products and their potential alternatives, to determine how best to limit exposure or to reduce the level of hazard posed by the chemical of concern; and (3) specify the range of regulatory responses that DTSC may take following the completion of the alternatives assessment.

SUBMITTAL OF COMMENTS TO CEPC

The CEPC will receive public comments on whether DTSC's proposed regulations will have any significant adverse impact on public health or the environment. Written comments directed to the CEPC should be sent by U.S. mail or by email. All written comments must be received by noon on February 27, 2013. Please include in the subject line of any written communication or email "Comments for February 28, 2013 CEPC Meeting." Please submit written comments to the address below:

Secretary Matthew Rodriguez, Chair
Environmental Policy Council
1001 I Street, P.O. Box 2815
Sacramento, CA 95812

Email: cepc@calepa.ca.gov

The CEPC will hold a public meeting on February 28, 2013 at which time any person may present statements or comments orally. Written summaries of oral comments will be accepted at the meeting. Representatives from Cal/EPA will preside at the meeting. Persons who would like to speak at the public meeting are requested to fill out a speaker's card, available at the back of the meeting room, before the meeting. Any person wishing to use a PowerPoint presentation must submit the PowerPoint presentation to cepc@calepa.ca.gov by noon on Thursday, February 27, 2013

A copy of the report will be available on the CEPC website at: <http://www.calepa.ca.gov/CEPC>. The public may view comments submitted to the CEPC at: <http://www.calepa.ca.gov/CEPC>.

Please note: Comments submitted to the CEPC will be for the purposes of informing CEPC's determination of whether DTSC's proposed regulations will have a significant adverse impact on public health or the environment. Persons interested in commenting on DTSC's proposed regulations must do so directly to DTS as discussed below.

PROPOSED REGULATIONS

Comments on the proposed DTSC Safer Consumer Products Regulations themselves must be submitted to DTSC no later than 5:00 p.m. on February 28, 2013 in accordance with the public notice and revised proposed regulations issued by DTSC on January 29, 2013. The public notice can be found on DTSC's website at:

<http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/upload/SCP-30-Day-Regs-Text.pdf>

PARKING ACCESSIBILITY AND SECURITY

A map to the Joe Serna Jr., Cal/EPA Building and parking information are available at <http://www.calepa.ca.gov/epabldg/location.htm>. For security purposes, all visitors are required to sign in and receive a badge prior to entering the building. Valid picture identification may be required so please allow up to 15 minutes for this process.

The Joe Serna Jr., Cal/EPA Building is accessible to people with disabilities. Individuals who require special accommodations at the Joe Serna Jr., Cal/EPA Building are requested to contact Ms. Bonnie Waltz no later than Wednesday, February 26, 2013, at (916) 324-9701 or Bonnie.Waltz@calepa.ca.gov.

QUESTIONS

If you have any questions regarding the public meeting or need special arrangements please contact Ms. Bonnie Waltz at (916) 324-9701 or Bonnie.Waltz@calepa.ca.gov.