



# California's Safer Consumer Product Regulations

Bay Area Pollution Prevention Group Meeting  
October 7, 2015

Anne Cooper Doherty

Safer Consumer Products Program

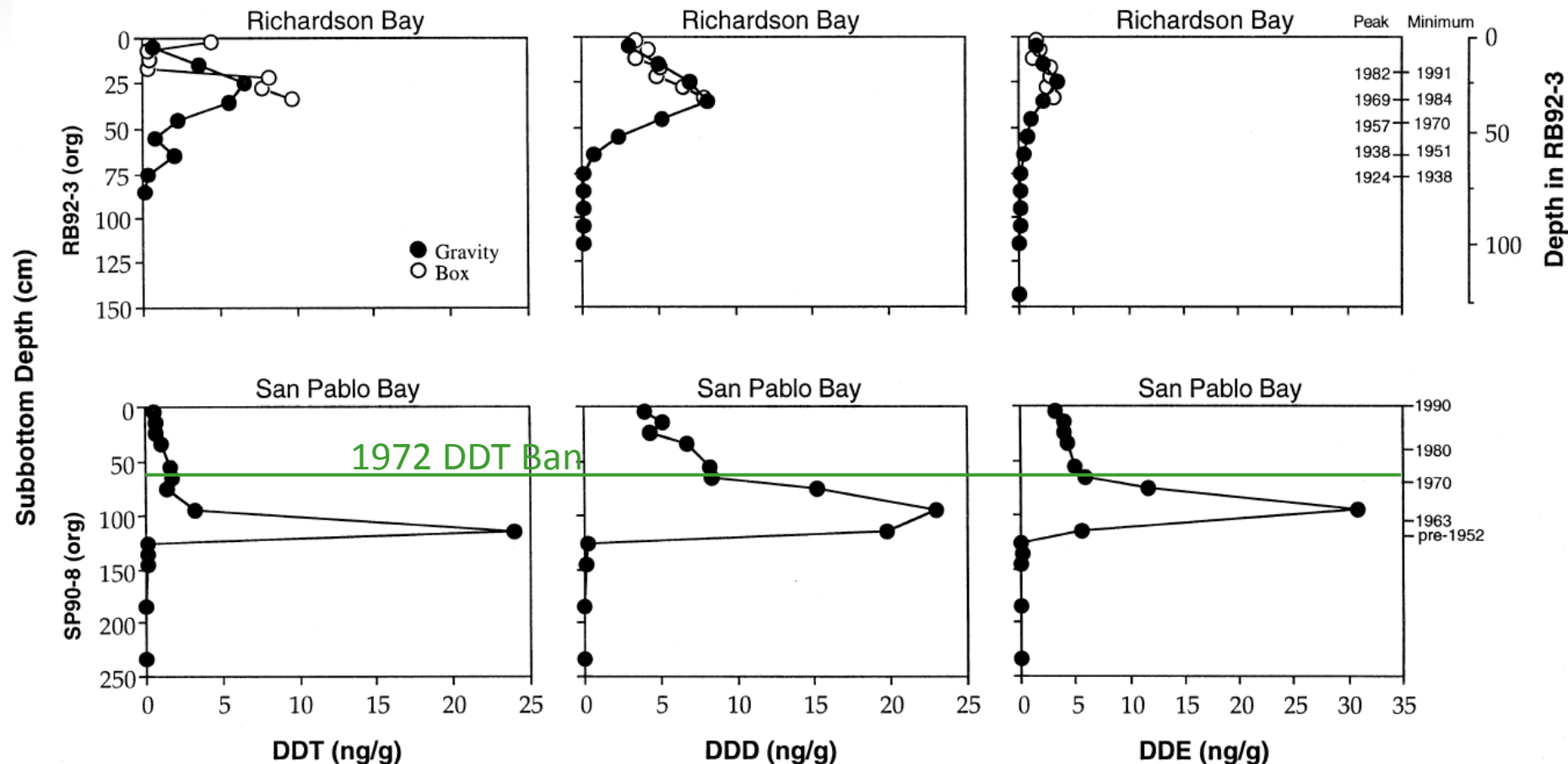


Department of Toxic Substances Control



Cal/EPA

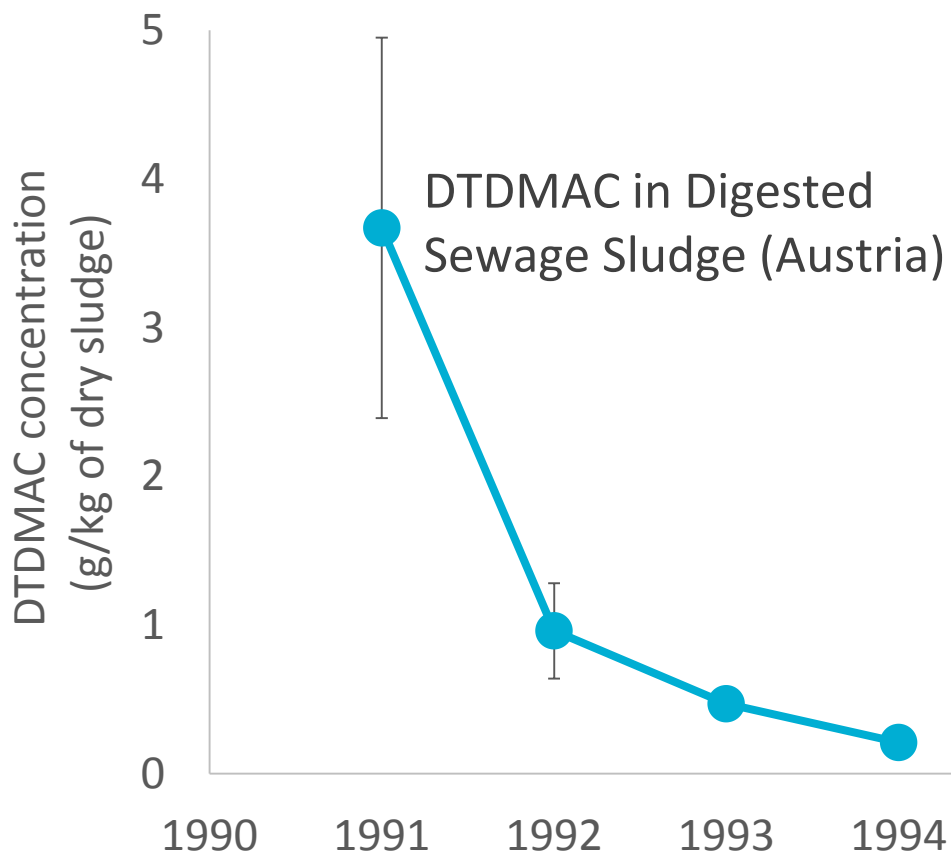
# Declines in DDT and metabolites



*M.I. Venkatesan et al. / Marine Chemistry 64 (1999) 85–97*

# Quaternary Ammonium Compounds: DTDMACs

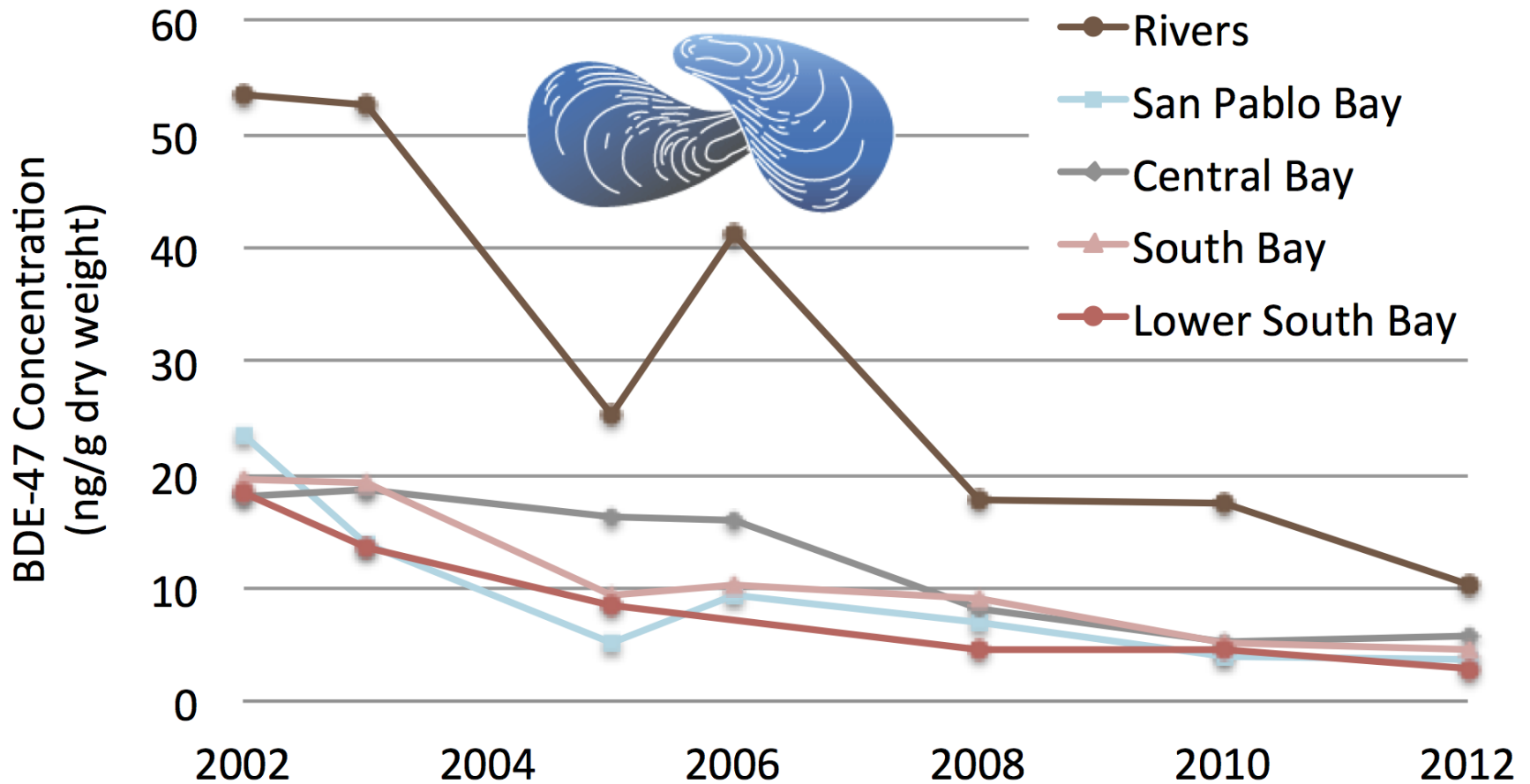
- Disinfectants, detergents, anti-static agents, fabric softeners
- European phased out in the late 80's
- Impact of European phase out seen in New York core samples



Fernandez et al. 1996 Anal. Chem 68, 921-929  
Doherty PhD Thesis, 2013



# Flame Retardants in SF Bay





**SAFER**  
CONSUMER  
PRODUCTS

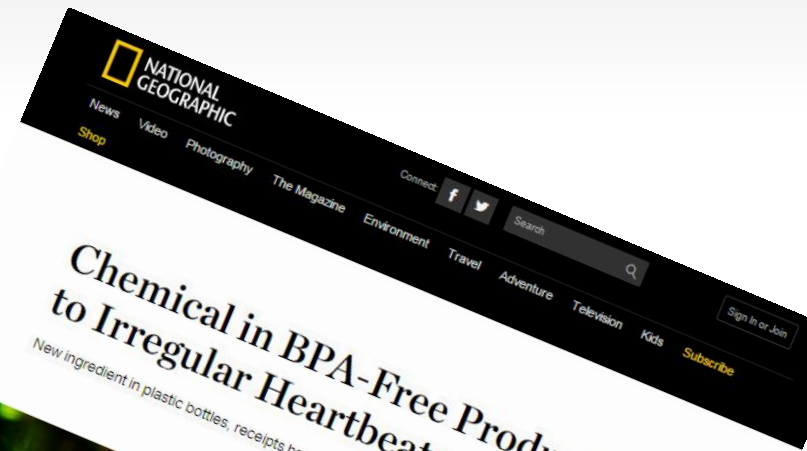


# Proactive framework

- Hazard reduction vs. risk management
- Pollution prevention vs. mitigation and treatment



# The Framework: Avoid Regrettable Substitutes



## Chemical in BPA-Free Products Linked to Irregular Heartbeats

New ingredient in plastic bottles, receipts has same effect on lab animals as the old chemical does.





# The Framework: Producer Responsibility





# How it Works: The SCP Regulations

DTSC

1  
Chemicals

Candidate  
Chemical  
List

DTSC

2  
Product  
(Product-Chemical  
Combinations)

Priority  
Products

Industry

3  
Alternative  
Analysis

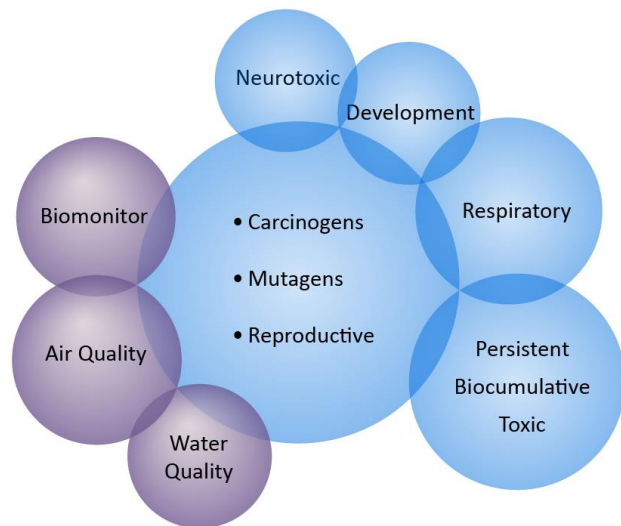
Alternatives  
Selection

DTSC

4  
Regulatory  
Response



# Step 1: Candidate Chemicals



<http://www.dtsc.ca.gov/SCP/ChemList.cfm>

## *23 Authoritative Lists*

### *Water Quality*

- 303(d) & 303 (c)
- OSPAR\* Priority Action Part A
- Several PBT lists

### *Drinking Water*

- CA Maximum Contaminant Levels
- CA Notification Levels

### *Some exclusions*

\*Oslo and Paris Conventions for the Protection of the Marine Environment of the North-East Atlantic



# Key Prioritization Principles

- Potential **exposure** to the Candidate Chemical(s) in the product

AND

- Potential for exposures to contribute to or cause **significant or widespread adverse impacts\***

\*adverse environmental impacts alone are sufficient



## Step 2: No Formula for Priority Product Selection

$$PP \neq \frac{c}{H_0} \int_0^z \frac{1}{\sqrt{\Omega_M (1+z')^3 + \Omega_k (1+z')^2 + \Omega_\Lambda}} dz'$$



# Step 2: Hazard Endpoints and Adverse Impacts Evaluated

Including:

- Aggregate Effects
- Cumulative Effects
- Physiochemical Properties
- Environmental Fate/Persistence
- Impairment of waste management organisms
- Loss of genetic diversity
- Phytotoxicity



# Step 3: Alternatives Analysis (AA)

Answers key questions

- Is it necessary?
- Is there a safer alternative?
- Have regrettable substitutes been avoided?

Consider the full product life cycle

- Regulated entities
- DTSC





## Step 3: AA Criteria “A-M” Criteria

Criteria Include:

- Water conservation
  - Water quality impacts
  - Greenhouse gas emissions
  - Waste and end-of-life disposal
  - Environmental Impacts
- All criteria must be considered
  - Manufacturers must weigh the trade-offs



## Step 4. Possible Regulatory Responses

- No response
- Additional information to DTSC
- Additional information to consumers
- Additional safety measures
- Restrictions/Prohibitions on sales
- End-of-life product stewardship
- Research funding



# Priority Product Selection



# Future Product Selections: Priority Products Work Plan



## Priority Product Work Plan

Three Year Work Plan | 2015 - 2017

SAFER CONSUMER PRODUCTS BRANCH

DEPARTMENT OF TOXIC SUBSTANCES CONTROL



# Priority Product Work Plan

- Identify product **categories** for next 3 years
- Provide market signals
- Engage stakeholders, gather data
- Identify potential Priority Products



# Work Plan Policy Priorities

- Direct exposure pathways
- Biomonitoring results
- Chemicals found in indoor air monitoring
- Sensitive subpopulations – children, workers
- Aquatic resource impacts
- Water quality monitoring evidence





## 2015 – 2017 Priority Product Work Plan Categories

**Beauty, Personal  
Care and Hygiene  
Products**



**Household/Office  
Furniture/  
Furnishings**



**Building Products –  
Paint Products,  
Adhesives, Sealants,  
Flooring**



**Cleaning  
Products**



**Fishing and Angling  
Equipment**



**Office Machinery  
Consumable Products**




**Clothing**



# What can you do?




# Submit a Petition

 **CalSAFER**  
SAFER CONSUMER PRODUCTS INFORMATION MANAGEMENT SYSTEM


User: Kathleen | [My Account](#) | [Log Out](#)

[My Account](#) ▾ [Candidate Chemicals Search](#) [Comments](#) ▾ [Petitions](#) ▾ [Help](#)

Instructions



Petition Type



[Previous Step](#) [Save and Exit](#) [Next Step](#)

**Petition Type:**

**Instructions**

*The petition entry screens have been designed to guide you through the submission process and ensure that you provide all of the required information.*

*Tooltips are available for many of the entry fields - hover over the text to view the additional information.*

*All submitted petitions – including contact information and uploaded documents – will be posted to CalSAFER and made available to the public.*

**Thank you for your interest in the Safer Consumer Products program. Before submitting a petition to DTSC, please be sure to:**

- Read all instructions carefully. For more information about petitioning the Safer Consumer Products, please click on [Petitions](#).
- Submit complete and relevant information – adequate documentation is essential to a successful petition.
- Take your time and be thorough. CalSAFER allows you to save an incomplete petition and return to it later but, once you submit your petition, you will not be able to edit it.
- Do not upload confidential business information or trade secrets. Copyrighted material may be uploaded to support your petition, but only the publically available portions will be made viewable in CalSAFER. All submitted petitions – including contact information and uploaded documents – will be posted to CalSAFER.

**If you have any questions about the petition process or the CalSAFER system, click on “Help” and send us an email. We look forward to hearing from you. If copyrighted supporting materials are included in your submission, only the publicly available portions will be made viewable in CalSAFER.**

[Previous Step](#) [Save and Exit](#) [Next Step](#)

# Submit Comments

## Draft Stage 1 Alternatives Analysis Guide

### Action:

The Department of Toxic Substances Control is seeking public comments on the Draft Stage 1 Alternatives Analysis Guide.

### Summary:

California's Safer Consumer Products (SCP) program challenges product designers and manufacturers to reduce toxic chemicals in their products. The SCP regulations establish innovative approaches for responsible entities to identify, evaluate, and adopt better alternatives. The SCP approach requires an Alternatives Analysis (AA) that considers important impacts throughout the product's life cycle and follows up with specific actions to make the product safer. The Department prepared the Draft Stage 1 Alternatives Analysis Guide to help responsible entities conduct a first stage AA to meet the regulatory requirements. Public comments are specifically requested to provide the names of tools, methods, approaches, and data sources not already mentioned, as well as examples for steps and approaches to complete an AA.

### Documents:

You may make comments on document(s) shown below by clicking on the corresponding "Submit" button.

[Submit a comment](#)

#### Title

[Draft-Stage1-AA-Guide](#)

#### Submit

DTSC

#### Status

Open

#### Comment Period

September 24, 2015 to  
October 23, 2015 11:59AM PST

#### Document Type

AA Report

#### Comments Published

[View Comments \(0\)](#)

#### Supporting Documents

# Submit Comments

- Alternatives Analysis Guidance Part 1
- Future Alternatives Analysis Reports
- Priority Product Work Plans
- Regulatory Responses



# Supply Data

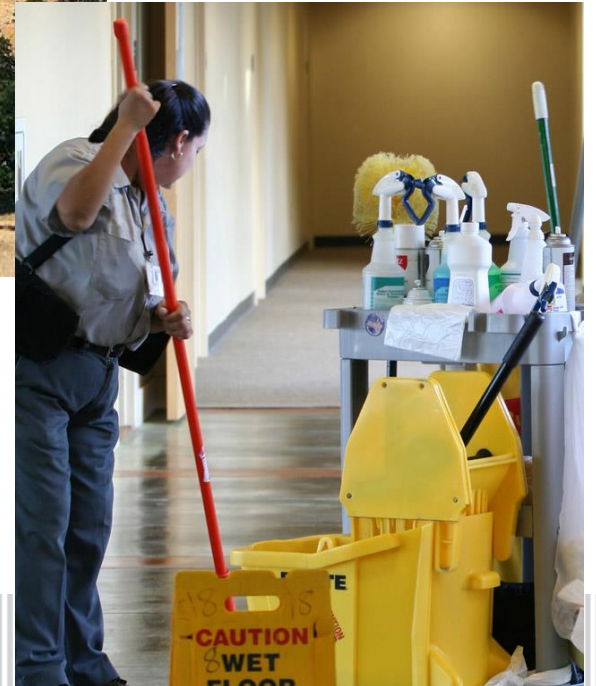
- Information Needed:
  - Chemicals observed at high levels
  - Chemicals increasing in concentration
  - Chemicals decreasing in concentration
  - Chemicals interfering with your processes
    - *Ex. OCSD*
  - Source identification work





# Emerging contaminants





# Thank you

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<http://www.dtsc.ca.gov/SCP>

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<http://www.calsafer.dtsc.ca.gov>

