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SOLID WASTE MANAGEMENT COMMITTEE/  
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November 1, 2010

Jeff Woled, MS 22A  
California Department of Toxic Substances Control  
Office of Legislation & Regulatory Policy  
P.O. Box 806  
Sacramento, CA 95812-0806

Dear Mr. Woled:

### **COMMENTS REGARDING THE GREEN CHEMISTRY PROPOSED REGULATION FOR SAFER CONSUMER PRODUCTS**

The Los Angeles County Integrated Waste Management Task Force (Task Force) commends the Department of Toxic Substances Control (DTSC) for developing the proposed Regulation for Safer Consumer Products (Regulations) and for adequately involving the affected stakeholders in the process. The Regulations are an integral part of California's Green Chemistry Initiative (Initiative), and the Task Force would like to offer the following regarding the "End-of-Life Management" regulatory response as it relates to solid waste.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities, and to ensure a coordinated and cost-effective and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a County-wide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force applauds the transparency with which DTSC has acted throughout the Initiative and scientific foundations upon which these Regulations have been developed. The Task Force is always eager to aid in the development of solid waste management policies that are protective of public health, the environment, and natural resources as well as the economic wellbeing of Los Angeles County entities. The fact that Green Chemistry “represents a major paradigm shift that focuses on environmental protection at the design stage of product and manufacturing processes,” (as stated in the Initial Statement of Reasons, R-2010-05) is monumental; comprehensively regulating all consumer products and identifying chemicals and products of concern is a lofty and far-reaching goal. Thankfully, the alternatives analysis process laid out in the Regulations attempts to ensure all consumer products, chemicals, and their alternatives will be “benign-by-design” to humanity and the environment. Currently, local governments are shouldered with the responsibility of collecting or managing certain dangerous or hazardous waste-stream items (typically the result of a “cradle-to-grave” mentality and approach to waste management). The life-cycle thinking and “cradle-to-cradle” approach of Green Chemistry comes full circle and allows for the necessary shift in focus from managing wastes at the product’s end-of-life stage to “designing chemicals, processes and goods that have fewer or no adverse effects throughout their lifecycle”. Thus, these Regulations will likely relieve local governments and the general taxpaying public of both the need and responsibility to manage certain wastes, instead making the direct benefactors (the product producers and consumers) directly responsible.

The Task Force has previously commented on the “End-of-Life Management Requirements” section of both the Straw Proposal and First Draft of these proposed Regulations and is pleased to see the incorporation of most recommendations into the proposed Regulations. However, the Task Force respectfully request that the proposed regulation be expanded to provide for DTSC, at its discretion, to stipulate certain conditions, such as either a minimum or ultimate collection rate, upon the product stewardship program and plan. Specifically, § 69306.4(a)(2)(C) should be expanded to read:

**“The product stewardship program and plan for collecting and, if applicable, recycling the product shall be developed in consultation with California retailers and potential collection sites *and may include conditions specified by the department, such as minimum and ultimate collection rates.*”**

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Again, we appreciate DTSC's consideration of our comments in the development of the Regulation for Safer Consumer Products. We look forward to better and safer consumer products being available and producers taking responsibility for the products they place into the stream of California commerce. If you have any questions, please contact Mr. Mike Mohajer at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair  
Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force and  
Council Member, City of Rosemead

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cc: Maziar Movassaghi, Acting Director, Department of Toxic Substances Control  
Linda S. Adams, Secretary of the California Environmental Protection Agency  
Each Member of the County of Los Angeles Board of Supervisors  
Each City Mayor in the County of Los Angeles  
California State Association of Counties  
League of California Cities  
League of California Cities, Los Angeles County Division  
California Product Stewardship Council  
Southern California Association of Governments  
San Gabriel Valley Council of Governments  
South Bay Cities Council of Governments  
Gateway Cities Council of Governments  
Each City Recycling Coordinator in Los Angeles County  
Each Member of the Los Angeles County Integrated Waste Management Task Force