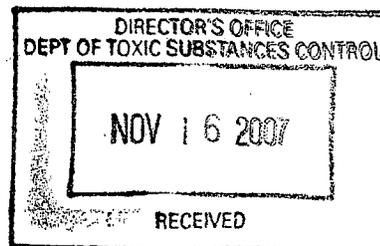


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November 13, 2007

California Green Chemistry Initiative
Department of Toxic Substances Control
P.O. Box 806
Sacramento, CA 95812-0806



To whom it may concern:

The California Association of RV Parks and Campgrounds (CalARVC) requests that the Department of Toxic Substance Control prohibit the import, sale, or use of certain RV toilet additives as part of the California Green Chemistry Initiative. Many of these products are detrimental to onsite septic systems and often cause systems to fail and pollute surrounding soil and groundwater. CalARVC, which is comprised mainly of hundreds of small "mom and pop" RV parks and campgrounds from all over the state, has been seeking a solution for this problem to several years.

CalARVC believes the best solution is to ban the sale and use of deleterious products that contain formaldehyde or similar biocides. Most of the toilet additive products sold and used in California contain formaldehyde or a derivative of formaldehyde. These products help dissolve toilet paper and bio-solids and are used by RV owners to prevent odors and blockages in their toilet systems. However, the chemicals in these products that help dissolve toilet paper and bio-solids also kill natural biological organisms used in many onsite wastewater systems. Many onsite wastewater treatment systems use natural organism to breakdown bio-solids and toilet paper. Thus, when RV holding tanks containing certain RV toilet additives are dumped into an onsite wastewater system, which is a common everyday occurrence at RV parks, the chemicals designed to eliminate odors and dissolve toilet waste also kill off the natural organisms causing the onsite septic systems to fail.

Environmentally safe, bacteria or enzyme based, alternative toilet additives are already on the market and available to consumers for comparable prices. Ironically, the same companies that manufacture the products containing formaldehyde often manufacture many of the environmentally safe products.

Under current law formaldehyde is considered a toxic chemical because it is a known carcinogenic. However, formaldehyde is technically biodegradable. In order for a chemical to be banned for use as a toilet additive it must be **both** non-biodegradable and a toxic chemical. Therefore, toilet additives that contain formaldehyde, or a form of formaldehyde, can be used or sold in California even though they are detrimental to

some septic systems and often cause harm to the environment by polluting California's groundwater.

Additionally, in July of 1999 the United States EPA issued Alert #909-F-99-002 warning RV, Boat & Mobile Home and Park Operators to not use products with these specific chemicals: formaldehyde, para-dichlorobenzene, benzene, toluene, ethylene glycol, methylene chloride, 1,1,-trichloroethane, trichloroethylene and perchloroethylene.

CalARVC met with the State Water Resources Control Board (SWRCB) approximately two years ago to ask that the issue of RV toilet additives be addressed in the new Onsite Wastewater Treatment System (OWTS) regulations that are currently being developed by the SWRCB. Draft regulations are supposed to be released for public comment sometime in November or December of this year. The draft regulations would prohibit water from RV holding tanks that contain materials "deleterious" to OWTS from being discharged into OWTS.

This proposed regulation places RV park owners in the position of denying septic services to a vast majority of their customers. Almost every RV owner uses some type of chemical additive in his or her RV toilet. Park owners have no way of verifying whether RV owners use "green" products or the deleterious chemical-based products in their toilets. Therefore, under the SWRCB proposed regulations, park owners would be forced to deny all RVs from using the OWTS or risk violating the law by allowing a deleterious product to be released into the park septic system. Providing RV owners the ability to dump their holding tanks is one of the primary reasons RVers choose privately owned RV parks. By not allowing RVers to "dump their tanks," these small businesses would effectively shut down.

Most RV owners do not know there are environmentally safe products that can be used in RV toilets instead of the chemicals commonly used. CalARVC and its members are attempting to educate their customers about these alternatives. However, until a vast majority of RV owners learn to use alternative products, or until the state prohibits the use of certain chemical products, it is unfair to require the park owners' to deliver the "bad news" to their customers. In addition, the current SWRCB proposal will be ineffective because RV owners can simply lie about what type of products they are using.

There are at least three ways in which to accomplish the goal of banning toxic RV toilet additives.

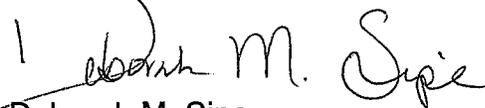
1. The current draft regulations proposed by the SWRCB could be amended to specifically ban these products, rather than just prohibiting the discharge of water containing these products.
2. The Department of Toxics could undergo regulatory changes to update their 1975 regulations defining what defines a toxic toilet additive.
3. The Legislature can pass legislation to ban or phase out the importation, sale, or use of these products.

While the issue of banning RV toilet additives would seem to be an obscure and minor issue to most, it is a major issue for CalARVC. In March of this year an inspector with a Southern California Regional Water Control Board issued notices to several private and state owned RV parks ordering them to immediately stop using their OWTS because toilet additives in RVs had caused these systems to fail leading to higher than acceptable nitrate levels in the surrounding soils. While the local Board later rescinded these notices, this situation served as a call for action among CalARVC members who fear that similar notices could be issued and enforced in the future.

It costs tens of thousands of dollars to replace a failed OWTS, not including fines and penalties that could also be imposed. Furthermore, prohibiting RVs from hooking-up to OWTS would be bad for business and a huge economic hardship for park owners. In addition, there are obviously significant negative environmental and water quality problems associated with the use of these toilet additive chemicals because the ultimately cause many systems to fail and leak.

Therefore, CalARVC believes it is appropriate for the Department of Toxic Substance Control to suggest the phase out and eventual prohibition of specified RV toilet additives through it Green Chemistry Initiative.

Sincerely,

A handwritten signature in cursive script that reads "Deborah M. Sipe". The signature is written in black ink and is positioned to the right of the typed name.

Deborah M. Sipe
Executive Director

cc: Edelstein & Gilbert