

FINAL STATEMENT OF REASONS

SAFER CONSUMER PRODUCTS: CANDIDATE CHEMICAL LIST AMENDMENT

Department Reference Number: R-2014-02

Office of Administrative Law Notice File Number: Z-2015-0922-08

UPDATE ON INITIAL STATEMENT OF REASONS

As authorized by Government Code section 11346.9, subsection (d), the Department of Toxic Substances Control (DTSC) incorporates by reference the Initial Statement of Reasons prepared for this rulemaking.

No changes were made to the proposed regulations nor are any changes necessary to the Initial Statement of Reasons following the public hearing and 45-day comment period.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.

BUSINESS REPORT DETERMINATION

DTSC determined that the proposed regulations will not require businesses to submit new reports, as defined by Government Code section 11346.3 (c).

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF OCTOBER 2, 2015 THROUGH NOVEMBER 16, 2015.

DTSC received one public comment with regards to the proposed regulations. The comment (see Tab D), submitted by Kurt Blase of Blasegroup LLC, petitioned DTSC to change the basis of the listing for refractory Ceramic Fibers on the Candidate Chemical List. Following review of this comment, DTSC determined that it did not apply to the proposed amendments to the regulation. Therefore, DTSC did not make any changes to the proposed regulations in response to this comment.

ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES

DTSC did not receive any proposed alternatives during the public comment period that would lessen any adverse economic impacts on small businesses.

ALTERNATIVES DETERMINATION

DTSC determined that no reasonable alternative considered would be more effective in carrying out the purpose of the proposed regulations, as effective and less burdensome to affected private persons than the proposed action, or more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The proposed amendments to the Candidate Chemicals List regulations will have no adverse economic impacts on business or individuals because the changes do not result in any new regulatory requirements. Since there will be no adverse economic impacts as a result of these proposed amendments, there were no alternatives which would have fewer impacts on businesses or individuals or be more effective in carrying out the purpose of these regulation changes. Ensuring that authoritative lists used to identify Candidate Chemicals are current and cited correctly minimizes potential confusion as to which chemicals may be identified by DTSC as a Chemical of Concern in a Priority Product. Taking no action was not considered a viable alternative for this proposed regulatory action due to the critical nature of correcting and updating citations in the Safer Consumer Products regulations; it is imperative that the regulations are clear and accurate.