Green Ribbon Science Panel

Topic #1 --- Chemical Identification & Prioritization

Statute:

- DTSC shall adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern.

- The regulations shall establish an identification and prioritization process that includes, but is not limited to, all of the following considerations: (1) the volume of the chemical in commerce in this state; (2) the potential for exposure to the chemical in a consumer product; and (3) potential effects on sensitive subpopulations, including infants and children.

- DTSC shall develop criteria by which chemicals and their alternatives may be evaluated. These criteria shall include, but not be limited to, the traits, characteristics, and endpoints that are included in the clearinghouse data.

- DTSC shall reference and use, to the maximum extent feasible, available information from other nations, governments, and authoritative bodies that have undertaken similar chemical prioritization processes --- DTSC is not required to reference and use only the available information from these sources.

- DTSC shall adopt regulations that 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 a chemical of concern.

See Attachment 1-1 for complete statutes that provide the mandate, authorities and scope for these regulations.

LIST OF ATTACHMENTS:

1-1 Statutes
1-2 Authoritative Bodies Lists Examples
1-3 Prioritization Hazard & Exposure Factors Example (modeled on draft regulations)
1-4 Prioritization Exposure Factors Examples
1-5 Ranking Formula Approach Examples
1-6 USEPA Design for the Environment AA Criteria for Hazard Evaluation (draft)
1-7 Washington State Chemical Prioritization (presentation by Alex Stone)
1-8 Reliable Information Definition Examples (modeled on draft regulations)
1-9 OECD Guidance on Data Quality

Question #1A: **Should there be multiple chemicals lists?**

(i) Should there be a single chemicals list (e.g., “Chemicals of Concern”), or two hierarchical chemicals lists (e.g., “Chemicals of Concern” and “Priority Chemicals”)?

(ii) If there are two lists, should they be developed concurrently or sequentially?

(iii) Other ideas?

Question #1B: **What criteria/process should be used to place chemicals on the list or lists?**

(i) Should one or both lists be a compilation of all chemicals listed by other specified authoritative bodies --- if so, which authoritative bodies?

(ii) Should one or both lists be a compilation of all chemicals that exhibit one or more specified hazard traits --- if so, should this be all of the OEHHA-listed hazard traits or a subset thereof (if the latter, which ones)?

(iii) What chemical hazard factors should be used to prioritize chemicals?

(iv) Should exposure potential factors also be used to prioritize chemicals --- if so, what factors?

(v) If there are two chemicals lists, what chemical hazard factors and what (if any) exposure potential factors should be used for each list?

(vi) In assessing a chemical's threat of adverse impact associated with each identified prioritization factor:

- Should there be a threshold established for each factor --- if so, how should the thresholds be determined?
- Should the prioritization evaluation be based on the chemical's individual threat of adverse impact, or the chemical's contribution to cumulative adverse impacts? If the latter, how should this be evaluated?

(vii) Should one or both lists be developed using a ranking formula applied to the identified prioritization factors? If so:

- How should the ranking formula be designed?
- Should the factors be weighted? If so, how should the weights be determined?
- Should numerical values (e.g., 1 to 10) or high-medium-low be used to score each chemical for each factor, and to assign an overall score? How should the scores be determined?

(viii) Should one or both lists also include "known bad actors"? If so:

- What are these and/or how should they be determined?
- Should these include chemicals that present end-of-life management or cost concerns?
- Should these include chemicals considered likely to present exposures to sensitive subpopulations?

(ix) Other ideas?

<u>Question #1C:</u> **Should the chemical list(s) be limited to specified chemicals or chemical categories during early implementation years?**

(i) Should there be a scope limitation, or not?
The remaining questions below assume that there will be a scope limitation.

(ii) If there are two chemicals lists, should the scope limitation apply to one or both lists?

(iii) What criteria should be used for the scope limitation?

- Hazard traits --- which ones?
- Presence on other authoritative bodies' lists --- which ones?
- Use in specified types of products --- which ones?
- End-of-life management and cost concerns --- which ones (e.g., MSW landfill disposal bans, chemicals showing up in state and local waste streams)?
- Other ideas?