

Comments submitted by Mr. Paul DeLeo for consideration by Subcommittee 1 (Chemical Identification and Prioritization) teleconference meeting on April 4, 2011.

I will not be able to listen in or provide public comment during the GRSP Subcommittee meeting on Monday, April 4th. It didn't appear that there was a formal process to submit written comments, so I thought I would provide them to you and the Subcommittee chair. I will try to keep them simple.

I took a quick look at the materials provided by the Department to the Subcommittee, including the three questions. They struck me as a bit specific and seemed to presume that the outcome of the regulations would be a list. The statute is more particular that DTSC should establish a process to identify and prioritize chemicals of concern in consumer products. So, my recommendation to the Subcommittee would be to focus on process issues, in particular, a single question: What is a scientifically defensible process for identifying and prioritizing chemicals of concern in consumer products? To that end, I would recommend that, as a starting point, the Subcommittee conduct a review of academic and regulatory exercises to identify and prioritize chemicals of concern in order to characterize the elements necessary to such a process and the decision points for the Department. I don't believe the GRSP should be making decisions or even advocating positions, but providing options and expert analysis to the Department so it can make the best policy decisions.

Below are a number of references for recent activities in that area. The references are by no means exhaustive but are meant to supplement those provided by the Department and to demonstrate that there is a wider body of literature that should be considered and used to inform the DTSC regulations. Copies of the academic papers are attached.

#### Government Exercises

\* EPA Safe Drinking Water Act Candidate Contaminant List 3 (CCL3):

[http://water.epa.gov/scitech/drinkingwater/dws/ccl/ccl3\\_processflowdiagram.cfm](http://water.epa.gov/scitech/drinkingwater/dws/ccl/ccl3_processflowdiagram.cfm)

\* Categorization of the Canadian Domestic Substances List:

<http://www.ec.gc.ca/substances/ese/eng/dsl/dslprog.cfm>

\* Oregon Priority Persistent Pollutant Program: <http://www.deq.state.or.us/wq/SB737/>

\* California State Water Resources Control Board (SWRCB) Advisory Panel for Chemicals of Emerging Concern in Recycled Water:

<http://www.sccwrp.org/ResearchAreas/Contaminants/ContaminantsOfEmergingConcern/RecycledWaterAdvisoryPanel.aspx>;

Final Report:

[ftp://ftp.sccwrp.org/pub/download/DOCUMENTS/CECpanel/CECMonitoringInCARecycledWater\\_FinalReport.pdf](ftp://ftp.sccwrp.org/pub/download/DOCUMENTS/CECpanel/CECMonitoringInCARecycledWater_FinalReport.pdf)

#### Academic Papers and Reports

\* Philip H. Howard and Derek C. G. Muir. 2010. Identifying New Persistent and Bioaccumulative Organics Among Chemicals in Commerce. Environ. Sci. Technol., 2010, 44 (7), pp 2277-2285. <http://dx.doi.org/10.1021/es903383a>

\* Daniel T. Salvito, Ronald J. Senna, and Thomas W. Federle. 2002. A framework for prioritizing fragrance materials for aquatic risk assessment. Environmental Toxicology and Chemistry: vol. 21(6), pp. 1301-1308.

<http://dx.doi.org/10.1002/etc.5620210627>

\* Diagnostic Tools to Evaluate Impacts of Trace Organic Compounds: Prioritization Framework for Trace Organic Compounds. Water Environment Research Foundation, Alexandria, VA. 2010.

Thank you for the consideration of these comments.

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