



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

December 5, 2014

Ms. Evelia Rodriguez
Ms. Suzanne Davis
Department of Toxic Substances Control
Attn: Comments on Draft Informal Regulations for Brake Friction Material Law

Subject: CASQA Response to 15-day Comment Period on the Revised Informal Draft Regulations for the California Brake Pad Law

Dear Ms. Rodriguez and Ms. Davis:

On behalf of the California Stormwater Quality Association (CASQA¹), thank you for the opportunity to comment on DTSC's informal draft of regulations to implement SB 346, California's law regulating copper, other metals, and asbestos in vehicle brake pads. CASQA's municipal agency members and Caltrans are counting on successful implementation of SB 346 to comply with Clean Water Act and California Porter-Cologne requirements to reduce levels of copper in urban stormwater runoff. CASQA strongly supports DTSC's plan to adopt the regulations. *We urge the Department to complete the regulatory process as quickly as feasible and to begin the important work of enforcing SB 346.*

We are generally pleased with the approach and specific language that DTSC has adopted in the informal draft regulations, which are clearly written and appropriately focused only on those topics requiring regulatory clarification. A number of our recommendations on the earlier draft have been incorporated into this version and we thank you for that.

We urge DTSC to ask NSF International to voluntarily post certifications online as soon as possible, and to urge the Motor and Equipment Manufacturers Association (MEMA) to allow use of the trademarked logos by anyone for education and outreach purposes. CASQA has made these same requests.

We do believe that DTSC has both the authority and obligation to inform the public of various items by posting them on the Internet. In our August 22, 2014 comments on the prior version of informal draft regulations we urged that:

DTSC specify in the regulations that it will post on its website in a timely manner Testing Certification Agency, certified analytical laboratory, and alternative test method requests for approval (Sections 66275.4 (c), 66275.5 (c), and 66275.6 (j)), DTSC notifications required under Sections 66275.4 (d), 66275.5 (d), 66275.6 (k), and extension requests and renewal requests (Section 66275.8 (a) and (b)).

¹ CASQA is comprised of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms throughout California. Our membership provides stormwater quality management services to more than 22 million people in California.

CASQA Comments on Draft Informal Brake Friction Material Regulations

We believe that implementing this specific requirement will expedite program compliance – a goal we are all striving for.

Thank you again for your incorporation of some of our previous comments into this rulemaking language and for considering these additional recommendations.

If you have any questions or would like to set up a meeting, please contact Justin Malan at (916) 448-1015 or justin@ecoconsult.biz or CASQA Executive Director Geoff Brosseau at (650) 365-8620.

Sincerely,



Gerhardt Hubner, Chair
California Stormwater Quality Association

cc: Meredith Williams, Deputy Director, DTSC
Karl Palmer, DTSC
William Hereth, California State Water Resources Control Board
Dave Tamayo, Sacramento County
Justin Malan, Ecoconsult
CASQA Board of Directors
CASQA Executive Program Committee