

FREQUENTLY ASKED QUESTIONS

Where should a petition to add or remove a chemical and/or or a priority product be submitted?

All petition documents must be submitted to DTSC in English, and electronic submittals should be submitted to the petitions mailbox at saferconsumerproducts@dtsc.ca.gov, or through the [DTSC FTP site](#).

What is the deadline for filing a petition?

There are no specific deadlines for filing petitions. However, pursuant to section 69504(b)(1), a petition to remove an entire list of chemicals from the lists specified in section 69502.2(a) may not be submitted until 3 years *after* the effective date of the regulations. As such, the earliest time that a petition to remove an entire list of chemicals will be considered is after **October 1, 2016**. Similarly, pursuant to section 69504(b)(2), a petition to remove a product-chemical combination from the Priority Products list may not be submitted until three years after the date the product chemical combination is placed on the Priorities Products list.

What if the petition is to add a chemical, list of chemicals, or product- chemical combination?

A person may petition DTSC to add a chemical, or chemicals list, or a product- chemical combination at any time. This is in addition to the fact that a person may submit comments during the public comment processes provided in Articles 2 and 3.

What is the earliest a petition may be filed to add a Candidate Chemical and/or priority product combination?

A petition to add a Candidate Chemical and/or chemical-product combination may be filed at any time; however, a final determination on the petition will not be provided until the next update of the Candidate Chemicals list or Priority Products list, as applicable.

The Candidate Chemicals list, as identified in section 69502.2(a), consists of approximately 1,200 chemicals. Additions to this list must occur through the process provided in section 69502.3(b), which requires that DTSC add Candidate Chemicals pursuant to the procedures specified in the Administrative Procedure Act (APA), commencing with Government Code section 11340. Similarly, the Priority Products list shall be established and updated through rulemaking under the APA as provided in section 69503.5(a)(2). The APA process requires that public input be taken into account.

What is the earliest a petition may be filed to delist a Candidate Chemical?

A petition to delist a chemical identified as a Candidate Chemical under section 69502.2(a) may be filed at any time. However, if a chemical is correctly identified as a Candidate Chemical pursuant to section 69502.2(a), a petition to delist the chemical will be denied.

What happens if a petition is filed prior to the date of eligibility?

The petition will be denied as inconsistent with the regulations.

Is a fee payment required to file a petition with DTSC?

No. There is no fee required to file a petition with DTSC.

Who may file a petition?

Any person may file a petition.

What must a petition contain?

A petition must include:

- (1) The name of, and contact information for, the person responsible for the petition contents, and if different from the petitioner, the affiliation of this person with the petitioner;
- (2) A description of the chemical and/or product-chemical combination that is the subject of the petition;
- (3) A description of the uses of the chemical and/or product-chemical combination;
- (4) The basis for the petition, including an analysis of the basis for the existence or absence of potential adverse impacts, potential exposures, and/or potential adverse waste and end-of-life effects associated with the chemical and/or product-chemical combination;
- (5) Information supporting the petition; and
- (6) The identity of any known manufacturers and importers of the chemical or product-chemical combination.

Failure to include in writing the above contents is grounds for designating a petition as incomplete. DTSC will examine the petition to determine if this information is included designate the petition as complete when all required information has been provided. A petitioner may use the [Petition Form](#) provided or may summarize the above specified information and submit the information to scppetitions@dtsc.ca.gov.

How soon must DTSC respond to a petition?

DTSC is required conduct a completeness review of a petition within 60 days after receiving a petition. If DTSC determines that the petition is incomplete, DTSC will notify the petitioner of its determination and will specify the basis for its determination. If

DTSC determines that the petition is complete, DTSC will provide a notice to the petitioner that a merits review will be conducted.

May a petition be resubmitted after a determination that it is incomplete?

Yes. The petitioner may address the areas of deficiencies and resubmit the petition.

How long does the entire petition process take from start to finish?

If DTSC determines the petition is complete, a merits review of the petition will be conducted using the criteria and processes specified in Article 2 and/or Article 3, as applicable, and make its final determination to grant or deny the petition no later than the next update of the Candidate Chemicals list or Priority Product list, as applicable.

How may DTSC respond to a petition that has been designated as complete?

DTSC must either grant or deny the petition, notify the petitioner, and post its determination on the DTSC website.

May additional information be provided after the petition has been filed to improve the chances of the petition being granted?

DTSC may request that the petitioner provide additional information within a specified timeframe to assist in its merits review of a petition.

If DTSC denies the petition, what is the next step?

DTSC will send a written notice of denial to the petitioner that includes a statement explaining the basis for the decision, and post the decision on the DTSC website.

If DTSC grants the petition, what are the next steps?

DTSC will notify the petitioner that the petition has been granted and post the decision on the DTSC website. In accordance with the criteria and processes specified in article 2 and/or article 3, the determination will be incorporated in the next update of either the Candidate Chemicals list or Priority Products list, i.e., the chemical, chemicals list, or Priority Product will be added or removed, as applicable.

Are petition documents available on the internet?

DTSC will post all petition documents on the DTSC website including notices, petitions under review, and final decisions.

What laws govern DTSC's petitions?

The petition process is set forth in the California Code of Regulations, Title 22, section 69504, which implements Health and Safety Code section 25253.