February 14, 2011

Ms. Fran Kammerer
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010

Transmitted via email

Re: OEHHA draft rulemaking on green chemistry toxics information clearinghouse identification of hazard traits, endpoints, and other relevant data –Support

Dear Ms. Kammerer,

I am writing on behalf of Clean Water Action and our 85,000 California members to voice our strong support for the Office of Environmental Health Hazard Assessment’s (OEHHA) draft rulemaking, which specifies hazard traits, endpoints, and other data which can be used to populate the Toxics Information Clearinghouse as mandated by SB 509 (Simitian, 2008).

We particularly commend OEHHA for defining hazard traits in a way that is scientifically based rather than politically negotiated. By including a broad array of hazard traits that impact both human and environmental health, this proposal fills in an extensive data gap that has been neglected by other authoritative bodies and forums. It is, therefore, a critical step forward for California and beyond.

While California’s Proposition 65 has been an important guideline to help identify toxic chemicals, the reality is that the health effects of toxic chemicals goes beyond cancer and reproductive harm. Furthermore, impacts to water, air quality, and our ecosystems pose serious threats to public health, our environment, and our economy. Our current limited understanding of the health and environmental effects of chemicals in products and processes hampers our ability as a society to address problems by avoiding toxins and designing safer chemicals and products. In addition, there are broader ramifications for business, government, healthcare, and the economy.
In a recent survey of representatives of downstream businesses (finished product manufacturers and retailers), medical practitioners, labor experts, and local government agencies, Clean Water Action found that inadequate hazard trait data for chemicals in commercial use hampers critical decision making processes, hinders the identification of the pollution sources and health problems, makes identifying and implementing solutions to environmental health challenges more difficult, and allows for the adoption of regrettable substitutions to known toxins, which have their own negative impacts. With this in mind, it is critical that California’s Toxics Information Clearinghouse be populated with as much peer-reviewed hazard information as is available and data produced or collected by authoritative bodies, including OEHHA itself.

While we do support OEHHA’s draft rules, we would like to offer the following recommendations to further strengthen them:

1. Make it explicitly clear when a lack of hazard data is the result of limited or no research on a particular chemical, to prevent the inference that such a chemical is safe.
2. Include neuro-developmental effects and the impacts of low level exposures.
3. Include cumulative impacts to encourage further study.

Once again, we commend OEHHA for demonstrating its scientific expertise and leadership with this draft proposal and we urge the department to finalize these rules as expeditiously as possible.

Sincerely,

Andria Ventura
Program Manager