

August 11, 2010

Department of Toxic Substances Control (DTSC)
P.O. Box 806
Sacramento, CA 98512-0806,
Attention: Ellen L. Haertle, MS-22

Sent via e-mail: ehaertle@dtsc.ca.gov

RE: DTSC's Proposed Standards for Management of Waste Solar Panels - #R-2010-01

Dear Ms. Haertle and DTSC:

On behalf of the [California Product Stewardship Council](http://www.CalPSC.org), I write to inform you of our concerns with the proposed deregulation of potentially hazardous photovoltaic (PV) waste without requiring mandatory take-back to ensure a manufacturer financed and managed recovery system is in place. Local governments should not be left with another unfunded mandate to eliminate PV's from landfills when they contain hazardous materials.

To outline, the following important issues are missing from DTSC's regulatory framework for end-of-life PV:

- A clear provision for Extended Producer Responsibility (EPR);
- Resources for regulatory enforcement;
- Product labeling;
- Pre-market testing for hazardous waste;
- DTSC testing protocols and regulatory threshold for hazardous materials;
- Hazardous waste characterization for nanomaterials and other emerging technologies;
- Adequate description of domestic recycling (treatment); and,
- The inclusion of household hazardous waste.

We thank you for the opportunity to comment and look forward to seeing the next draft.

Sincerely,



Heidi Sanborn, Executive Director
California Product Stewardship Council