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## Department of Toxic Substances Control

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**Gavin Newsom**  
Governor

### TITLE 22 CALIFORNIA CODE OF REGULATIONS

## 45-DAY PUBLIC NOTICE AND COMMENT PERIOD

### SAFER CONSUMER PRODUCTS REGULATIONS – Listing Motor Vehicle Tires Containing N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) as a Priority Product

**Department of Toxic Substances Control reference number: R-2022-04R**

**NOTICE IS HEREBY GIVEN** that the Department of Toxic Substances Control (DTSC) proposes to amend the California Code of Regulations, title 22, division 4.5, chapter 55, section 69511, and adopt section 69511.7. This proposed regulation pertains to identification of a Priority Product under the Safer Consumer Products (SCP) regulations, approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on August 28, 2013 (effective date: 10/01/2013; OAL Regulatory Action Number: 2013-0718-03).

### WRITTEN COMMENT PERIOD

The written comment period will close on July 5, 2022. Only comments received at the DTSC office or postmarked on or before that date will be considered. Any interested person(s) or their authorized representative(s) may submit written comments relevant to the proposed regulatory action to DTSC in either electronic or hard copy formats.

Written comments may be submitted electronically through the SCP Information Management System, CalSAFER, at: <https://calsafes.dtsc.ca.gov/>. Please direct questions or concerns about CalSAFER to Anne-Cooper Doherty at 916-324-1088 or [annecooper.doherty@dtsc.ca.gov](mailto:annecooper.doherty@dtsc.ca.gov). While DTSC prefers written comments be submitted through the [CalSAFER](#) system, interested persons may also submit their comments in an email to: [SaferConsumerProducts@dtsc.ca.gov](mailto:SaferConsumerProducts@dtsc.ca.gov) or through the DTSC regulations email address at [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov). Please include the DTSC reference number for this regulation in the subject of your message. Direct hard-copy written comments to Ms. Jackie Buttle, Regulations Coordinator, as specified below.

## **PUBLIC HEARING**

A public hearing has not been scheduled for this rulemaking. However, DTSC will conduct a hearing if a written request for a public hearing is received from any interested person, or his or her duly authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8. Submit a written request for a public hearing in an email to [SaferConsumerProducts@dtsc.ca.gov](mailto:SaferConsumerProducts@dtsc.ca.gov) or to Ms. Jackie Buttle, Regulations Coordinator, as specified below.

### **Notice Pertaining to Accessibility and Reasonable Accommodation**

All documents related to these regulations can be made available in alternate format (i.e., Braille, large print, etc.) or in another language, as requested, in accordance with state and federal law. Further, to ensure the public has equal access to all available services and information, DTSC will provide disability-related reasonable accommodations and/or translator/interpreter needs, upon request. For assistance, please contact the staff person below. Note: the range of assistive series available may be limited if requests are made less than 10 business days prior a public hearing.

Ms. Jackie Buttle  
Office of Legislation and Regulatory Review  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806  
Fax Number: (916) 324-1808  
TTY/TDD/Speech-to-Speech users may dial 711 for the California Relay Service.

## **AUTHORITY & REFERENCE**

### **Authority**

This regulation is being adopted under the following authorities:

- Health and Safety Code (HSC) section 25252 authorizes and requires DTSC to adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered a Chemical of Concern. This section also directs DTSC to reference and use available information from various sources but does not limit DTSC to use only this information.
- HSC section 25253 authorizes and requires DTSC to adopt regulations that establish a process for evaluating Chemicals of Concern in consumer products,

and their potential alternatives, to determine how best to limit exposure to or to reduce the level of hazard posed by a Chemical of Concern.

- HSC section 58012 (added by Gov. Reorg. Plan No. 1, §146, eff. July 17, 1991) grants DTSC authority to adopt regulations to execute its duties.

## **Reference**

This regulation implements, interprets, or makes specific the following statutes:

- HSC sections 25252 and 25253.

## **INFORMATIVE DIGEST**

### **Policy Statement Overview:**

Background and Effect of the Proposed Regulatory Action:

The SCP framework regulations were adopted in October 2013 to meet the statutory requirements outlined in HSC sections 25252 and 25253. The regulations outline a science-based process for evaluating Chemicals of Concern in consumer products and safer alternatives by:

- Establishing a list of Candidate Chemicals and specifying criteria by which these may be designated Chemicals of Concern;
- Establishing a process to identify and prioritize product and Candidate Chemical combinations that may be listed as Priority Products;
- Requiring manufacturers of a product listed as a Priority Product to notify DTSC within 60 days of the listing regulation's effective date;
- Requiring manufacturers of a Priority Product to decide whether to perform an Alternatives Analysis (AA) to determine how best to reduce exposures to the Chemical(s) of Concern in the product;
- Allowing DTSC to identify and require implementation of Regulatory Responses following completion of an AA, if needed; and
- Creating a process for persons to petition DTSC to add chemicals to the Candidate Chemicals list, add or remove Candidate Chemicals lists in their entirety, or to add or remove a product-chemical combination from the Priority Products List.

DTSC proposes to amend sections 69511 and add section 69511.7 to Article 11 of the SCP regulations. The proposed action will add motor vehicle tires containing N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) as a Priority Product on the Priority Products List.

“Motor vehicle tires containing N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD)” means a motor vehicle tire, as defined below, that contains 6PPD. “Tire” means any product that can be described or observed as a covering for a wheel, usually made of rubber reinforced with cords of nylon, fiberglass, or other material, whether filled with compressed gas (such as air or nitrogen), solid, or non-pneumatic (airless).

“Motor vehicle tire” includes any tire, as defined above, that is intended for use on light duty vehicles (passenger cars, light trucks, vans, and sport utility vehicles); motorcycles; motor homes; medium- and heavy-duty trucks; buses; and trailers (including trailer coaches, park trailers, and semitrailers). “Motor vehicle tire” also includes tire tread material: circular or linear precured tread and raw rubber solely for use in mold cure retreading of a tire.

“Motor vehicle tire” does not include a tire imported into or sold in California as a component of a motor vehicle. It also does not include a tire intended for exclusive use on off-road vehicles, including aircraft; vehicles intended exclusively for off-road (e.g., dirt track) use; construction and agricultural equipment such as excavators, paving equipment, tractors, combines, bulldozers, and skidders (but not farm labor vehicles); industrial equipment such as forklifts, airport service equipment, and ice-grooming machines; and military vehicles (except those that are equivalent to civilian vehicles covered by this product definition, such as light-duty vehicles used as staff cars, buses, and delivery vehicles). Additionally, “motor vehicle tire” does not include the used component(s) of a retreaded tire; however, the new tire tread material that is used in a retreaded tire is included in the definition.

The oxidation products of 6PPD include 6PPD-quinone, which was recently discovered to be the cause of coho salmon urban runoff mortality syndrome observed in the Puget Sound area of Washington state. Tire wear particles, which form as tires roll across the road surface, are readily transported to the aquatic environment by surface runoff and stormwater, thus delivering 6PPD and 6PPD-quinone to those environments.

### **Benefits of the Proposed Regulatory Action:**

A primary goal of the SCP regulations is to mitigate widespread adverse health and environmental impacts of harmful chemicals, as well as the overall costs of these impacts to the State of California. By listing motor vehicle tires containing 6PPD as a Priority Product, DTSC requires manufacturers selling these products into California to evaluate whether 6PPD is necessary in motor vehicle tires or whether there are functionally safer alternatives that would reduce human and environmental exposure to 6PPD during manufacturing, use, post-consumer recycling or disposal of motor vehicle tires containing 6PPD. Both 6PPD and 6PPD-quinone display hazard traits of concern identified in the SCP regulations. Specifically, 6PPD displays dermatotoxicity;

hepatotoxicity; hematotoxicity; ocular toxicity; phytotoxicity; reproductive toxicity; and wildlife survival impairment; whereas 6PPD-quinone displays loss of genetic diversity and biodiversity, reactivity in biological systems, respiratory toxicity, and wildlife survival impairment (including to coho salmon, a threatened and endangered species in California).

6PPD-quinone has been detected in California waterways at concentrations above those shown to kill at least half of coho salmon in laboratory experiments. Coho salmon are already extirpated in California waters near highly populated, high traffic density areas. The remaining coho populations, which are in the less heavily populated areas of the state, are either threatened or endangered. The presence of 6PPD-quinone in California waterways at concentrations proven to be lethal to coho salmon indicates that current stormwater treatment handling practices are often insufficient for the removal of 6PPD-quinone. 6PPD-quinone is also potentially toxic to other economically important species that are closely related to coho such as chinook salmon, steelhead, and the California golden trout. Additionally, 6PPD itself is known to be toxic to several aquatic invertebrates, although because 6PPD is highly reactive the toxicity assessments are complicated by probable co-exposure to transformation products during experiments. Therefore, reduction of 6PPD in consumer products and the environment means healthier aquatic ecosystems, particularly for threatened and endangered species such as coho salmon.

In addition to impacts to aquatic organisms, loss of coho salmon in California has contributed to adverse impacts on California's Native American tribes. The loss of core traditional food sources for tribal communities can be tied to loss of culture, increased physical and mental health issues, and increased poverty. The human toll of the decline of salmon has been well-documented by the Karuk Tribe in the Klamath Basin: diabetes, heart disease, hypertension, and stroke, diseases that are strongly influenced by diet, have become more common in the Karuk since the decline of the salmon fishery, costing the tribe an estimated \$1.9 million per year. Native American advocates assert that access to traditional food sources, such as salmon, helps to promote self-reliance among Indigenous peoples and is fundamentally important to protecting Native communities' health, well-being, economic resilience, and cultural heritage. Therefore, reducing environmental exposures to 6PPD and 6PPD-quinone could ultimately reduce adverse health effects in the tribal populations of California.

Given the number of tires used in California each year – over 171 million tires were driven on California's roads in 2020 alone—their end-of-life disposition is a major challenge. At the end of their useful life, tires are landfilled, recycled, or reused—either as is or after processing (e.g., by cutting or shredding). Many of the end-of-life uses of tires provide direct pathways for chemicals to migrate into the aquatic environment and

may represent a source of contaminants like 6PPD and 6PPD-quinone. California's extensive efforts to reuse and recycle used tires, while providing benefits such as reducing burdens on landfill capacity in the state, may contribute to ongoing environmental releases and exposures to these contaminants.

Given this potential for significant and widespread adverse impacts associated with exposure to these chemicals, the presence of 6PPD in tires and the associated release of 6PPD-quinone to the aquatic environment represent a threat to California's aquatic resources and the tribal communities that rely on them, may interfere with California's ability to reuse and recycle tires, and may require expensive special handling of stormwater runoff to mitigate adverse impacts. Expanded use and development of new, safer alternatives benefits California's entire population and environment.

Another primary goal of SCP regulations is to protect public health by reducing exposures to potentially harmful chemicals. By listing motor vehicle tires containing 6PPD as a Priority Product, DTSC sets in motion a strategy to reduce human exposure to 6PPD from the manufacturing, use, and end-of-life of this product. A reduction in exposure to 6PPD could benefit the health of California's residents and wildlife. The development of safer alternatives benefits California workers, consumers, employers, and environment.

DTSC cannot predetermine the alternatives that each manufacturer will propose; therefore, it is impossible to accurately predict or quantify the full range of potential benefits associated with their development. DTSC's process encourages the use of alternatives of least concern and prefers those that provide the greatest level of inherent protection. In general, economic benefits to California workers and business owners may include expanded employment opportunities in the fields of consulting, worker and consumer education, and marketing. Additional benefits may accrue because of increased research and product development collaboration between manufacturers and California-based research entities. Institutional and corporate financial support of chemical and material science programs focused on developing safer alternatives to 6PPD could advance the field. These research initiatives could provide manufacturers with employees that are highly skilled in the research and design of products for newly emerging global markets.

### **Existing Laws and Regulations:**

The SCP regulations established a unique approach to regulating Chemicals of Concern in consumer products that grants DTSC authority to take actions to protect people and the environment when such actions are outside the scope of other regulatory programs. There are no equivalent federal or state regulations that require product manufacturers to determine if the chemical in their product is necessary and

whether there is a safer alternative, with the goal of protecting consumers and the environment from adverse effects associated with a product throughout its lifecycle.

DTSC has assessed all applicable state and federal laws and regulations, as well as international treaties or agreements with the force of domestic law, related to the proposed Priority Product and the Candidate Chemical in the product. DTSC has determined that no state or federal regulations overlap or conflict with this proposal to list motor vehicle tires containing 6PPD as a Priority Product. Therefore, there is no conflict or duplication between state or federal regulation and this proposed rule.

The federal Clean Water Act prohibits the discharge of stormwater containing specific pollutants without a National Pollutant Discharge Elimination System (NPDES) permit. U.S. EPA delegates this federal permitting program to the State of California. California's Municipal Storm Water Program manages NPDES permits for municipalities and the statewide permit for Caltrans. Neither 6PPD nor 6PPD-quinone is currently regulated by the California State Water Resources Control Board.

The National Highway Traffic Safety Administration (NHTSA) regulates the safety of tires. NHTSA has established several Federal Motor Vehicle Safety Standards setting safety and performance requirements for tires (Code of Federal Regulations, title 49, subtitle B, chapter V, part 571, subpart B). DTSC has determined that these regulations do not overlap or conflict with the proposal to list motor vehicle tires containing 6PPD as they do not address the potential exposures or adverse impacts under consideration.

Motor vehicle tires would be required to meet current federal standards for safety and performance even if DTSC listed motor vehicle tires containing 6PPD as a Priority Product. The SCP Regulations do not allow DTSC to require the use of alternatives to a Chemical of Concern that would compromise a Priority Product's compliance with health and safety requirements.

#### **Related State Laws and Regulations:**

No California state laws or regulations currently address the use of 6PPD in motor vehicle tires. Therefore, these proposed regulations will not be inconsistent or incompatible with existing state laws or regulations.

Current laws and regulations require people who store, stockpile, accumulate, or discard waste tires to comply with tire storage and disposal standards and to obtain a waste tire facility permit. CalRecycle is responsible for administering waste tire programs in California and has established technical standards and a permitting

program for waste tire facilities. DTSC has determined that these regulations do not overlap or conflict with the proposal to list motor vehicle tires containing 6PPD, as they do not address the potential exposures or adverse impacts under consideration. If motor vehicle tires containing 6PPD were listed as a Priority Product, they would still be subject to CalRecycle's storage and disposal requirements.

### **Comparable Federal Regulation or Statute:**

This regulation is not based on, identical to, or in conflict with any federal regulations.

To date, no federal regulation has been developed to address 6PPD used in motor vehicle tires, and therefore there is no conflict or duplication between federal regulation and this proposed rule.

## **OTHER APPLICABLE REQUIREMENTS PRESCRIBED BY STATUTE**

### **California Environmental Quality Act (CEQA) Compliance**

DTSC anticipates that this rulemaking would be exempt from CEQA (Public Resources Code Section 21000, et seq.) under the "feasibility or planning study" and "data collection" exemptions outlined in California Code of Regulations, title 14, section 15262 and 15306, respectively. The project would also be exempt under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061, subd. (b)(3).) A draft Notice of Exemption (NOE) is available for review during the public comment period upon request and will be filed with the State Clearinghouse if the regulation is finalized.

### **California Environmental Policy Council Review**

Under the provisions of HSC section 25252.5, the California Environmental Policy Council (CEPC) reviewed the framework SCP regulations prior to their adoption in October 2013 (the CEPC Resolution may be viewed at: <http://www.calepa.ca.gov/cepc/>). Under HSC Section 25252.5(f), the CEPC determined that the proposed regulations would not have any significant adverse impact on public health or the environment and could be adopted by DTSC without undergoing a multimedia life cycle evaluation.

DTSC determined that further review by the CEPC is not warranted for this rulemaking because the requirements of HSC section 25252.5 apply only to the creation of the SCP program and not regulations that may be required to implement this program.

### **Peer Review**



DTSC requested and obtained an external scientific peer review of the scientific basis of the proposed regulation pursuant to Health and Safety Code section 57004. The result of the external scientific peer review is posted to DTSC's rulemaking website at: <https://dtsc.ca.gov/regs/>.

## **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

DTSC has determined that adoption of this regulation will not impose a local mandate or result in costs subject to state reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

## **COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS SUBJECT TO REIMBURSEMENT**

DTSC determined that adoption of this regulation will not result in costs or savings for any local agency or school district required to be reimbursed pursuant to Part 7 of Division 4, commencing with section 17500 of the Government Code, or other nondiscretionary costs or savings imposed on local agencies.

### **Costs or Savings to Any State Agency:**

DTSC will absorb additional costs associated with reviewing Notifications, Abridged AA Reports, or two-stage AA Reports submitted by manufacturers of motor vehicle tires containing 6PPD by reallocating staff to this new task. DTSC estimates that the total fiscal costs to state government for reviewing all Notifications, Abridged AA Reports, and two-stage AA reports submitted by manufacturers will range from **\$1,671,900** to **\$6,008,000**.

### **Local Agencies:**

DTSC determined that adoption of this regulation will not impose a local mandate or result in costs or savings for any local agency subject to reimbursement pursuant to Part 7 of Division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

### **School Districts:**

DTSC determined that adoption of this regulation would not result in costs or savings for any school district required to be reimbursed pursuant to Part 7 of Division 4, commencing with section 17500 of the Government Code.

### **Federal Funding to the State:**

DTSC determined that adoption of this regulation will not result in cost or savings in federal funding to the state. DTSC determined that no fiscal impact to federal funding or state programs exists.

## **DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT**

DTSC determined the proposed regulatory action has no significant statewide adverse economic impact directly affecting business. Following a review of available motor vehicle tire market data and survey of affected manufacturers and industry organizations, DTSC determined the proposed regulation is not a major regulation and is unlikely to have a significant adverse impact on business.

Types of Businesses Affected: Manufacturers of motor vehicle tires containing 6PPD have the principal duty to comply with the notification and reporting requirements.

Projected Reporting, Recordkeeping, or other Compliance Requirements: In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), DTSC found that the reporting requirements of the proposed regulatory action, which apply to businesses, are necessary for the health, safety, and welfare of the people of the State of California. The specific reporting requirements and forms are:

- Priority Product Notification [section 69503.7]
- Removal/Replacement Notifications:
  - Chemical of Concern Removal Intent Notification [section 69505.2]
  - Chemical of Concern Removal Confirmation Notification [section 69505.2]
  - Product Removal Intent Notification [section 69505.2]
  - Product Removal Confirmation Notification [section 69505.2]
  - Product-Chemical Replacement Intent Notification [section 69505.2]
  - Product-Chemical Replacement Confirmation Notification [section 69505.2]
  - Product Cease Ordering Notification [section 69501.2(b)(2)(B)]
- AA Notifications and Reports:
  - AA Threshold Notification [section 69505.3]
  - AA Extension [section 69505.1(c)]
  - Preliminary AA Report [section 69505.4(a)(2), section 69505.5, section 69505.1(b)(2)(A), section 69505.7]
  - Final AA Report [section 69505.4(a)(3), section 69505.6, section 69505.1(b)(2)(B), section 69505.7]
  - Abridged AA Report [section 69505.4(b)]
  - Alternate AA Work Plan [section 69505.4(c)]
  - Previously completed AA [section 69505.4(d)]

The forms and reports that a manufacturer must submit depends on several factors, including the Priority Products produced, the availability of viable alternatives, and business decisions made by the manufacturer.

The reporting requirements applicable to manufacturers may be fulfilled by a consortium, trade association, public-private partnership, or other entity acting on behalf of, or in lieu of, one or more manufacturer. This does not apply to the Priority Product Notification or AA Threshold Exemption Notification requirements [section 69501.2(a)(2)].

DTSC has made an initial determination that the adoption of this regulation will not exert a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. DTSC has considered proposed regulatory alternatives that would lessen any adverse economic impact on business and invites interested parties to submit proposals. Submissions may include the following considerations:

- i. The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- ii. Consolidation or simplification of compliance and reporting requirements for businesses.
- iii. The use of performance standards rather than prescriptive standards.
- iv. Exemption or partial exemption from the regulatory requirements for businesses.

## **COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES**

DTSC relied on a variety of sources to estimate the number of California-based manufacturers of motor vehicle tires containing 6PPD potentially impacted by this proposed regulation. DTSC searched lists of manufacturers provided in Dun & Bradstreet Hoovers and United States Census Bureau County Business Patterns for manufacturers of motor vehicle tires containing 6PPD. DTSC then searched manufacturers' websites to refine the list of companies manufacturing these products.

Based on the data collected from these sources, DTSC estimates there are four (4) manufacturers of motor vehicle tires containing 6PPD that would be potentially affected by this regulation. DTSC estimates that costs could range from \$112,960 to \$304,960 for individual manufacturers to fulfill the SCP regulatory requirements to submit a Priority Product Notification and complete an Alternatives Analysis report. Total estimated costs to California-based businesses range from \$451,840 to \$1,219,840.

## **RESULTS OF THE ECONOMIC IMPACT ASSESSMENT**

### **Creation of New Businesses or Elimination of Existing Businesses:**

DTSC determined that it is:

- Unlikely that this proposal will eliminate or create businesses or jobs in manufacturing of motor vehicle tires;
- Possible that this proposal could create an unknown number of businesses to assist manufacturers of motor vehicle tires containing 6PPD in meeting regulatory obligations including consulting services, chemical and material science research services, and product development support;
- Possible that this proposal could create an unknown number of public or private sector jobs in consulting services, product research and design, chemical and material science research and support, and marketing.

### **Expansion of Businesses Currently doing Business:**

DTSC determined that it is possible that this proposal could result in the expansion of businesses currently doing business within the state, particularly those engaged in regulatory consulting services, chemical and material science research and support, product research and design and marketing.

### **Effect on Housing Costs:**

DTSC has determined that the proposed regulation will have no significant effect on housing costs.

### **Effect on Small Businesses:**

DTSC made an initial determination that the adoption of this regulation may affect small businesses. DTSC estimates that one of the four potentially impacted manufacturers is a small business. Costs to submit Priority Product Notifications and AA Reports are expected to be the same for all impacted businesses. Moreover, DTSC estimates that it will take each manufacturer a maximum of 16 hours at \$60/hour to complete a Priority Product Notification, or a total of \$960. DTSC estimates that the cost to each manufacturer for the Priority Product Notification, AA report, and responding to DTSC's AA report review will be \$112,960 to \$182,960 for an Abridged AA, and \$139,960 to \$304,960 for a two-stage AA. These are one-time notification and reporting requirements that manufacturers are expected to complete within one year of adoption of the proposed regulation; therefore, there are no ongoing costs.

## **Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:**

DTSC made an initial determination that the adoption of this regulations may positively affect the health and welfare of California residents and the state's environment. A reduction in exposure to 6PPD could benefit the health of California's wildlife. The development of safer alternatives benefits California residents and the environment. DTSC cannot predetermine the alternatives that each manufacturer will propose; therefore, it is impossible to accurately predict or quantify the full range of potential benefits associated with their development. DTSC's process encourages the use of alternatives of least concern and prefers those that provide the greatest level of inherent protection. In general, economic benefits to California workers and business owners may include expanded employment opportunities in the fields of consulting and marketing. Additional benefits may accrue because of increased research and product development collaboration between manufacturers and California-based research facilities. Institutional and corporate financial support of chemical and material science programs focused on developing safer 6PPD alternatives could advance the field. These research initiatives could provide manufacturers with employees that are highly skilled in the research and design of products for newly emerging global markets.

## **CONSIDERATION OF ALTERNATIVES**

DTSC must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of DTSC would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. DTSC's consideration of alternatives is available in the Initial Statement of Reasons included as part of this proposed regulation.

## **CONTACT PERSONS**

Inquiries regarding technical aspects of the proposed regulation or CEQA documents may be directed to Anne-Cooper Doherty at 916-324-1088 or [annecooper.doherty@dtsc.ca.gov](mailto:annecooper.doherty@dtsc.ca.gov) of DTSC or, if unavailable, Nancy Ostrom of DTSC at 916-445-3077. However, such oral inquiries are not part of the rulemaking record.

A public comment period for the rulemaking has been established commencing on May 20, 2022 and closing on July 5, 2022. Statements, arguments, or contentions regarding the rulemaking or supporting documents must be submitted in writing or presented

orally or in writing at a public hearing, if a hearing is requested, in order for them to be considered by DTSC before it adopts these regulations.

DTSC will accept statements, arguments or contentions, and supporting documents regarding this rulemaking submitted in writing either through CalSAFER or by mail, or they may be presented orally or in writing at a public hearing, if a hearing is requested.

## **AVAILABILITY OF TEXT OF PROPOSED REGULATIONS, INITIAL STATEMENT OF REASONS, AND OTHER RULEMAKING DOCUMENTS**

Copies of the Notice of Proposed Action, Initial Statement of Reasons, all the information upon which this proposal is based, and the express terms of the proposed regulation (also known as the proposed regulatory text) are posted to DTSC's Internet website at <https://dtsc.ca.gov/regs/>.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial, sufficiently related changes are made to the regulatory text, the modified full text (with the changes clearly indicated) will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulation; attend a public hearing, if a hearing is requested; or provide written comments on this specific regulation will be sent a copy of the modified text if substantial, sufficiently related changes are made.

Once DTSC finalizes the regulatory text, DTSC will prepare a Final Statement of Reasons that updates the Initial Statement of Reasons, summarizes how DTSC addressed comments, and includes other materials. A copy of the Final Statement of Reasons will also be posted on DTSC's website at <https://dtsc.ca.gov/regs/>, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulation.

## **ALL OTHER QUESTIONS/COMMENTS/INQUIRIES/UPDATES**

Please direct all written comments, procedural inquiries, and requests for documents by mail, email, or fax to Ms. Jackie Buttle, Regulations Coordinator, as specified above. To be included in this regulation package's mailing list and to receive updates of this rulemaking, please visit <https://dtsc.ca.gov/dtsc-e-lists/> and subscribe to the applicable E-List or email: [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov).